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6 SENATE REAPPORTIONMENT MEETING  
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9 JANUARY 31, 2002 - 2:00 P.M.

10 ROOM 412, KNOTT BUILDING

11 FLORIDA STATE CAPITOL

12 TALLAHASSEE, FLORIDA  
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18 REPORTED BY:

19 MONA L. WHIDDON

20 COURT REPORTER

21 Division of Administrative Hearings

22 DeSoto Building

23 1230 Apalachee Parkway

24 Tallahassee, Florida  
25

DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675

<p style="text-align: right;">Page 2</p> <p>1 MEMBERS IN ATTENDANCE</p> <p>2 SENATOR DANIEL WEBSTER, CHAIRMAN</p> <p>3 SENATOR GINNY BROWN-WAITE</p> <p>4 SENATOR WALTER G. CAMPBELL, JR.</p> <p>5 SENATOR LEE CONSTANTINE</p> <p>6 SENATOR ANNA P. COWIN</p> <p>7 SENATOR VICTOR D. CRIST</p> <p>8 SENATOR MANDY DAWSON</p> <p>9 SENATOR ALEX DIAZ DE LA PORTILLA</p> <p>10 SENATOR RUDY GARCIA</p> <p>11 SENATOR STEVEN A. GELLER</p> <p>12 SENATOR BETTY S. HOLZENDORF</p> <p>13 SENATOR DARYL L. JONES</p> <p>14 SENATOR JAMES E. KING, JR.</p> <p>15 SENATOR RON KLEIN</p> <p>16 SENATOR JACK LATVALA</p> <p>17 SENATOR JOHN F. LAURENT</p> <p>18 SENATOR ALFRED LAWSON, JR.</p> <p>19 SENATOR TOM LEE</p> <p>20 SENATOR KENDRICK B. MEEK</p> <p>21 SENATOR LESLEY MILLER, JR.</p> <p>22 SENATOR DURELL PEADEN, JR.</p> <p>23 SENATOR BILL POSEY</p> <p>24 SENATOR KEN PRUITT</p> <p>25 SENATOR DEBBY P. SANDERSON</p> <p style="text-align: center;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 4</p> <p>1 PROCEEDINGS</p> <p>2 CHAIRMAN WEBSTER: The Committee on Senate</p> <p>3 Redistricting will come to order. The Secretary will call</p> <p>4 the roll.</p> <p>5 (Roll called.)</p> <p>6 THE SECRETARY: A quorum is present.</p> <p>7 CHAIRMAN WEBSTER: Thank you. It's been a while since</p> <p>8 we've met and we have before us a Committee Substitute</p> <p>9 Senate bill 594 which was adopted by Congressional</p> <p>10 subcommittee. I would like to call on Senator Latvala to</p> <p>11 explain that bill. Senator Latvala.</p> <p>12 SENATOR LATVALA: Thank you, Mr. Chairman. The</p> <p>13 Congressional subcommittee met twice as a subcommittee. We</p> <p>14 had a public hearing on -- during the first week of</p> <p>15 January. We originally posted the bill on Thursday,</p> <p>16 January the 3rd, and then we had a public hearing the</p> <p>17 following week.</p> <p>18 We had a 6-hour time slot set aside for the public</p> <p>19 hearing and unfortunately only had one witness, but we did</p> <p>20 have a meeting and we went over two proposed plans. Then</p> <p>21 we came back last week on Friday morning with a melding of</p> <p>22 those two plans and produced a committee bill. We had a</p> <p>23 committee hearing at that time where we had, I think, two</p> <p>24 witnesses, maybe three witnesses. No amendments that I</p> <p>25 recall, and we produced this committee substitute.</p> <p style="text-align: center;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 3</p> <p>1 SENATOR BURT L. SAUNDERS</p> <p>2 SENATOR JIM SEBESTA</p> <p>3 SENATOR RONALD A. SILVER</p> <p>4 SENATOR ROD SMITH</p> <p>5 SENATOR J. ALEX VILLALOBOS</p> <p>6 SENATOR DEBBIE WASSERMAN-SCHULTZ</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: center;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 5</p> <p>1 The map, if we could zero in on the proposed committee</p> <p>2 substitute map, we have a little larger picture, we'll --</p> <p>3 I'll explain it. Basically, we started at the Alabama</p> <p>4 line, we took 639,000 people and put them in a district and</p> <p>5 then we did another 639,000 people and put them in a</p> <p>6 district and came eastward.</p> <p>7 The new, the so-called open seats or districts, to the</p> <p>8 best of my knowledge, there is not a Congressional</p> <p>9 incumbent in at the present time, would be District 13.</p> <p>10 Whoever has got the pointer might show where that is, that</p> <p>11 is up on the upper west coast, including Citrus, Hernando,</p> <p>12 Sumter, Pasco, Hillsborough and part of Polk County right</p> <p>13 there.</p> <p>14 And then down in south Florida in yellow, which would</p> <p>15 be District 24, which includes Monroe County, Miami-Dade</p> <p>16 County, parts of Broward, Collier, Hendry, Glades,</p> <p>17 Highlands, and Charlotte and Lee Counties, kind of a large</p> <p>18 geographic district, basically all of the territory from</p> <p>19 the bottom end of the state up.</p> <p>20 We maintained the current minority access seats in</p> <p>21 Districts 3, 17 and 23 and kept those very close to the</p> <p>22 percentages from the 1992 plan. Each one of those three</p> <p>23 districts had to gain a substantial amount of people</p> <p>24 because the population growth in those districts did not</p> <p>25 keep up with the rest of the state. Two of those districts</p> <p style="text-align: center;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 6</p> <p>1 had to gain over a hundred thousand people.</p> <p>2 So, Mr. Chairman, we've kept -- we've tried to keep</p> <p>3 coastal areas together, communities of interest. We did</p> <p>4 look at existing districts. For the most part, kept the</p> <p>5 existing districts together as well. We have accommodated</p> <p>6 in the process and with the amendment that you'll have</p> <p>7 today, the Latvala amendment today, we kept -- we have</p> <p>8 accommodated a lot of individual requests from individual</p> <p>9 congressmen, members of the Congress with specific</p> <p>10 geographical areas that they wanted included in their</p> <p>11 districts.</p> <p>12 The only serious objections that have been reported</p> <p>13 personally to me by a Congressman is Congressman Weldon's</p> <p>14 objection to splitting Indian River County. We had a lot</p> <p>15 of correspondence on that from the Indian River County</p> <p>16 Commission, the City of Vero Beach, and so forth and so on.</p> <p>17 We have moved in each of the plans a little bit closer</p> <p>18 to having all of Indian River County in that, but I</p> <p>19 committed in the subcommittee with Senator Posey that I do</p> <p>20 believe that in the conference situation with the House,</p> <p>21 they'll get into a position where Indian River will all be</p> <p>22 within one county in that district.</p> <p>23 As all members of the committee know, we -- the</p> <p>24 Senate, when we adopt a plan, then the House adopts a plan</p> <p>25 and we have to go to conference and, obviously, the map</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 8</p> <p>1 runs completely along the Florida coast from north Palm</p> <p>2 Beach County all the way down to Miami Beach. It includes</p> <p>3 communities like Boca Raton, north Palm Beach County,</p> <p>4 Pompano Beach, Ft. Lauderdale, Hallendale, and then all the</p> <p>5 way down to Miami Beach.</p> <p>6 And the residents of those beachfront cities clearly</p> <p>7 have a common thread of interest, they shop in the same</p> <p>8 communities, they have the same interests, they have the</p> <p>9 same economic and environmental concerns. The district has</p> <p>10 had the highest percentage of senior citizens in the state,</p> <p>11 which is another community of interest.</p> <p>12 The subcommittee map does harm to those communities of</p> <p>13 interest by dividing them up between District 18 and</p> <p>14 District 20 and it seems as though that is done in order to</p> <p>15 shore up the Republicans in Congressman Shaw's district,</p> <p>16 which is not a reason that seems to be valid.</p> <p>17 It radically alters, the proposed map radically alters</p> <p>18 Congressional District 22. Even though it needs to pick up</p> <p>19 8,500 people, it shifts 200,000 residents from Miami-Dade,</p> <p>20 almost 200,000 residents from Miami-Dade, in Congressman</p> <p>21 Shaw's district, to seemingly make his district safer for</p> <p>22 them. The population in that stretch of Miami-Dade is</p> <p>23 largely a Jewish population with a mixture of many Hispanic</p> <p>24 residents.</p> <p>25 It seems to single out those voters for removal and</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 7</p> <p>1 that comes out at the end of the session, you know,</p> <p>2 probably in some cases will look like what's up there, and</p> <p>3 in some cases won't as we accommodate compromises with the</p> <p>4 House.</p> <p>5 We -- well, I guess, Mr. Chairman, I'll entertain</p> <p>6 questions, but I guess that is a pretty good summary of the</p> <p>7 map.</p> <p>8 CHAIRMAN WEBSTER: Are there questions of Senator</p> <p>9 Latvala on the committee substitute that passed the</p> <p>10 subcommittee? Senator Wasserman-Schultz.</p> <p>11 SENATOR WASSERMAN-SCHULTZ: Thank you, Mr. Chairman.</p> <p>12 Senator Latvala, I wanted to just direct the Senators --</p> <p>13 the members' attention to Broward County, so perhaps we</p> <p>14 could focus on that.</p> <p>15 The map splits Broward County into six Congressional</p> <p>16 districts, which is more than any other county in the state</p> <p>17 in the plan that's in front of us, even more than Dade</p> <p>18 County and Dade has a half a million people more than</p> <p>19 Broward. In terms of communities of interest, the Supreme</p> <p>20 Court has said by definition that a community of interest</p> <p>21 is one in which a group of people actually share interest,</p> <p>22 that there's some common thread of relevant interest</p> <p>23 between them.</p> <p>24 Current Congressional District 22, which is</p> <p>25 represented by Congressman Shaw, is a coastal district that</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 9</p> <p>1 puts them -- and replaces them by having Congressional</p> <p>2 District 22 swing around underneath 595 into central and</p> <p>3 west Broward, which Congressman Shaw has never represented,</p> <p>4 and, quite frankly, with all due respect, with whom those</p> <p>5 people have nothing in common and could not ever really be</p> <p>6 described as a community of interest with the people who</p> <p>7 live on up the beach in the parts that remain in</p> <p>8 Congressman Shaw's district.</p> <p>9 And if you notice, if you turn and look at -- if you</p> <p>10 turn on the red and blue in that area, many of the voters</p> <p>11 that he picks up in central and west Broward are Republican</p> <p>12 voters. I mean, it seems to have been picked and chosen</p> <p>13 specifically for that purpose. I don't think that that's</p> <p>14 wise and I just wonder why you made those choices as a</p> <p>15 policy matter.</p> <p>16 CHAIRMAN WEBSTER: Senator Latvala.</p> <p>17 SENATOR LATVALA: Mr. Chairman, we took account a</p> <p>18 number of factors in looking at these: Compactness, the</p> <p>19 length of the district, the number of counties that would</p> <p>20 be impacted by a district. We tried to reduce the number</p> <p>21 of counties in the districts as much as we could.</p> <p>22 In this particular district, I think we reduced it</p> <p>23 from three counties to one county that made it not nearly</p> <p>24 as long. Previously, it went all the way from the southern</p> <p>25 tip of the Miami Beach to Juno Beach, which I don't know</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 10</p> <p>1 the exact distance, but that was probably somewhere in the</p> <p>2 neighborhood of 80, 100 miles, a very long, skinny</p> <p>3 district, and we attempted to make it a little more</p> <p>4 compact, we took into account all the demographic factors,</p> <p>5 the input from the elected officials in the district and</p> <p>6 members of the Legislature here.</p> <p>7 SENATOR WASSERMAN-SCHULTZ: Mr. Chairman, follow up?</p> <p>8 CHAIRMAN WEBSTER: You are recognized.</p> <p>9 SENATOR WASSERMAN-SCHULTZ: Thank you, Mr. Chairman.</p> <p>10 I can understand that, but I guess, Senator Latvala, I just</p> <p>11 wonder what you believe the people in west Broward, who I</p> <p>12 currently represent in the Florida Senate and have in the</p> <p>13 Florida House before that for eight years, quite honestly,</p> <p>14 I have lived in Broward County since 1989 and I maybe have</p> <p>15 been to the beach, and I live in the Westin, which is in</p> <p>16 Congressional District 20, almost along the Everglades, I</p> <p>17 maybe have been to the beach twice in Broward in 14 years.</p> <p>18 I'm not kidding. I mean, literally, actually traveled</p> <p>19 to the beach in Broward County just because. I mean, and</p> <p>20 quite honestly, a lot of the people out in west Broward are</p> <p>21 just like that. It takes about a half hour, maybe a bit,</p> <p>22 little longer to get from west Broward all the way to the</p> <p>23 beach, it's just simply not something that people in west</p> <p>24 Broward have a tendency to do, because if they wanted to go</p> <p>25 to the beach and spend a lot of time in that community of</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 12</p> <p>1 besides just that you want to tighten up the length of</p> <p>2 Congressman Shaw's district, what do the people, and how</p> <p>3 could you possibly define the people in west Broward of the</p> <p>4 community of interest with the people who live on up the</p> <p>5 beach?</p> <p>6 SENATOR LATVALA: Well, Mr. Chairman, I'm not as</p> <p>7 articulate as Senator Wasserman-Schultz, but I've tried to</p> <p>8 explain it as best I can.</p> <p>9 CHAIRMAN WEBSTER: Senator Geller.</p> <p>10 SENATOR GELLER: Thank you, Mr. Chair. Two questions,</p> <p>11 I believe, for Senator Latvala, maybe three.</p> <p>12 CHAIRMAN WEBSTER: You are recognized.</p> <p>13 SENATOR GELLER: Senator Latvala, can I ask you first,</p> <p>14 what the performance or expected numbers here will be? I</p> <p>15 mean, the way that I have looked at it in terms of the</p> <p>16 number of Congressmen that would be Democrats, the number</p> <p>17 of Congressmen that would be Republicans, if we're going to</p> <p>18 have 25 seats, it appears that the way that this map is</p> <p>19 drawn, that we'll probably end up with about 17</p> <p>20 Republican-based seats and about eight Democratic-based</p> <p>21 seats. Again, that's my looking at it.</p> <p>22 Some of the Democrats, you know, there's always</p> <p>23 political upsets, but it appears that there's about 17</p> <p>24 seats that should elect Republican and about eight seats</p> <p>25 that should elect Democrats; is that fairly accurate?</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 11</p> <p>1 interest, they would live closer.</p> <p>2 So, I just want to get a sense from you what the</p> <p>3 people in west Broward, even though you might want to take,</p> <p>4 you know, tighten up Congressman Shaw's district in terms</p> <p>5 of size, why you chose to swing him around into west</p> <p>6 Broward in that particular pattern.</p> <p>7 SENATOR LATVALA: Well, as Senator Silver pointed out</p> <p>8 at the subcommittee meeting, a lot of the folks that used</p> <p>9 to live along the beach now live on the interior there in</p> <p>10 both Districts 20 and 22, and he seemed to think it was a</p> <p>11 pretty good idea based on his local knowledge and being a</p> <p>12 resident of that district.</p> <p>13 I think that, you know, the distance from one end of</p> <p>14 that district was -- to the other was prohibitive, it would</p> <p>15 certainly take more than a half hour to drive from Miami</p> <p>16 Beach/Fisher Island up to Juno Beach, so, we are just</p> <p>17 trying to make it more compact and obviously easier for</p> <p>18 people to have access to their Congressman.</p> <p>19 CHAIRMAN WEBSTER: Senator Wasserman-Schultz.</p> <p>20 SENATOR WASSERMAN-SCHULTZ: Thank you, Mr. Chairman,</p> <p>21 as a follow up. Could you maybe more specifically answer</p> <p>22 my question as to why you think -- you know, I disagree</p> <p>23 with Senator Silver, who is a good friend of mine, but with</p> <p>24 all due respect, he's never lived in Broward County, I</p> <p>25 have, and I represent this community, and I just wonder,</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 13</p> <p>1 SENATOR LATVALA: Well, Mr. Chairman, I -- you know,</p> <p>2 the way they give these sheets to us on these -- you know,</p> <p>3 every district on an individual page, I've just never sat</p> <p>4 down and put them all on one list so I could add them up,</p> <p>5 Senator Geller. I apologize for not doing that, I probably</p> <p>6 should have done that. But I -- this has been an evolving</p> <p>7 process, and I just haven't added all that up.</p> <p>8 SENATOR GELLER: Senator Latvala, you are one of the</p> <p>9 keenest political minds that I know and I'm a hundred</p> <p>10 percent confident that when you drew this map, you had a</p> <p>11 pretty good idea as to how many Democrats and how many</p> <p>12 Republicans are going to be elected. And would you believe</p> <p>13 that it looks to me like it's about 17/8 -- I'm sure that</p> <p>14 you have looked, it's about 17/8, there's some, maybe one</p> <p>15 seat either way. Does about 17/8 sound about right to you?</p> <p>16 SENATOR LATVALA: Senator Geller, the Chairman won't</p> <p>17 let me ask a "would you believe" -- or answer a "would you</p> <p>18 believe" question. He says that can only be answered in</p> <p>19 the House of Representatives.</p> <p>20 SENATOR GELLER: Instead of asking it that way, let me</p> <p>21 try again.</p> <p>22 CHAIRMAN WEBSTER: Senator Geller, I think that</p> <p>23 whatever, however you want to interpret the data that's</p> <p>24 before you, it's certainly plenty of data. However Senator</p> <p>25 Latvala wants to interpret it, that's up to him. How you</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 14</p> <p>1 want to interpret it, that's up to you. You can speculate,  2 and I'm sure he could if he wants to, but he doesn't have  3 to.  4 SENATOR GELLER: Okay. Then one follow-up question.  5 One final question.  6 CHAIRMAN WEBSTER: You are recognized.  7 SENATOR GELLER: As a preface, it looks to me like  8 it's probably 17/8, maybe it's one seat off. Senator  9 Latvala, what I'm confused about just a little is the state  10 of Florida is pretty conclusively 50/50. I think the  11 entire world knows, if they didn't before the last  12 presidential election, the entire world knows that we are  13 about 50/50 in terms of our Democratic/Republican  14 performance.  15 And one of the things that I have liked best about the  16 Florida Senate, and the most proud of, is our strong  17 bipartisan leadership and, Senator Latvala, you have been  18 one of the people in the Florida Senate who's been most of  19 the example of bipartisanship working, both parties working  20 together over the years. I have always respected that, you  21 know, I regard you as a friend and as a leader in the  22 Senate in this bipartisanship.  23 If these numbers that I'm looking at are pretty close,  24 and trust me if they are not exact, pretty close, why in a  25 state -- why is the Florida Senate, which has prided itself  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 16</p> <p>1 percentage of the population there is Hispanic?  2 SENATOR LATVALA: Let's see. Behind the map there are  3 some sheets, and let's see, using the 2000 population,  4 Hispanic excluding Hispanic blacks is 20 -- no, is 38.5.  5 SENATOR DIAZ de la PORTILLA: Of the voting age  6 population?  7 SENATOR LATVALA: Okay. On voting age population --  8 where is that -- oh, that is voting age population, I'm  9 sorry. It's 39.4 total population, 38.5 voting age  10 population.  11 SENATOR DIAZ de la PORTILLA: And registration?  12 SENATOR LATVALA: On registration, it is 41.4 percent  13 Republican and 37.9 percent Democrat and 20.8 percent  14 Independent, which doesn't look like a locked district for  15 either party to me.  16 SENATOR DIAZ de la PORTILLA: But as far as ethnicity,  17 what percentage of the registered voters are Hispanic?  18 SENATOR LATVALA: Percentage of the registered voters  19 that are Hispanic is 22.4. 22.4, yes, sir.  20 SENATOR DIAZ de la PORTILLA: Okay. Thank you.  21 CHAIRMAN WEBSTER: Senator Posey, you are recognized  22 for a question.  23 SENATOR POSEY: Thank you, Mr. Chairman. Senator  24 Latvala answered my question in his explanation to Senator  25 Geller.  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 15</p> <p>1 on our bipartisanship, are we casting a map in a state  2 that's 50/50 that pretty much appears to come out about  3 17/8, maybe 18/7 in terms of the number of seats that would  4 come back, or maybe 16/9, but somewhere around there?  5 SENATOR LATVALA: Well, Senator Geller, again, as I  6 tried to tell you a minute ago, I haven't taken the list  7 and added it up in terms of performance. And then if I was  8 going to add it up in terms of performance, I wouldn't  9 really know which race to use.  10 I mean, you know, Florida was 50/50 last year in the  11 race but, you know, four years before, it wasn't really  12 50/50, or eight years before, it wasn't 50/50.  13 So, I'm not sure which Senate numbers to use. I guess  14 the only thing that comes to mind is that even before this  15 map was created, you say that you think it's a 17 to 8 map,  16 our current legislative delegation -- I mean, Congressional  17 delegation is 15 to 8.  18 And so, if we were 50/50 in the last election, it  19 really didn't perform like that under the current map which  20 was drawn by the U.S. District Court.  21 SENATOR GELLER: Thank you, Senator, I appreciate your  22 comments.  23 CHAIRMAN WEBSTER: Senator Diaz de la Portilla.  24 SENATOR DIAZ de la PORTILLA: Thank you, Chairman.  25 Just for a couple of quick questions on District 24. What  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 17</p> <p>1 CHAIRMAN WEBSTER: Senator King.  2 SENATOR KING: Thank you, Mr. Chairman. And I may be  3 lagging behind the curve here, but bear with me, are we on  4 the Latvala plan 0005; is that the dissection that we are  5 doing?  6 CHAIRMAN WEBSTER: Senator King, we are on 004, which  7 is the committee substitute that was passed out of the  8 subcommittee. We'll get to that. I believe that that  9 other plan, which will be an amendment, is very similar,  10 but we'll get to that after we review and vote on Senator  11 Jones' amendment.  12 Do you have a question about 004 or 005 or --  13 SENATOR KING: Well, actually, as I now flip back to  14 004, the same anomaly -- whatever that word means -- yeah,  15 that too -- yeah, the small bug there exists, and I'm  16 curious, if someone can tell me, if you look at the yellow  17 on Page -- well, we don't have page numbers. I'm trying to  18 get you to look at what is actually Congressman Crenshaw's  19 district, which is an overlay of mine.  20 CHAIRMAN WEBSTER: Is that on the screen, Senator  21 King? Is that the one that you are talking about?  22 SENATOR KING: Yes. And can you on the computer drop  23 it down so I can see the Volusia part? Can you drop it  24 down lower there? Yeah. Can you tell me or show me with  25 your little pointer where the track is, the Daytona  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 18</p> <p>1 International Speedway?</p> <p>2 If that is a tough -- well, Mr. Chairman, let me ask</p> <p>3 it a different way. And I'm not trying to break any codes</p> <p>4 or anything, but the blue that cuts -- is there a purpose</p> <p>5 of the fact that it's not all contiguous? Are we doing</p> <p>6 something there that includes or excludes something that we</p> <p>7 didn't want?</p> <p>8 Yeah, I know it is a terrible question to ask it that</p> <p>9 way, let's go back to the first way I asked it, because</p> <p>10 that's more meaningful. Where is the track?</p> <p>11 CHAIRMAN WEBSTER: Are you talking about the yellow</p> <p>12 district?</p> <p>13 SENATOR KING: Well, yes, sir. I'm talking about the</p> <p>14 yellow district, but there's a blue district that</p> <p>15 intersects in Volusia, which is where the track is, and I</p> <p>16 don't know whether the track is in the blue or the track is</p> <p>17 in the yellow.</p> <p>18 CHAIRMAN WEBSTER: It's in the yellow.</p> <p>19 SENATOR KING: Okay. That's fine. Thank you very</p> <p>20 much for your information.</p> <p>21 CHAIRMAN WEBSTER: Senator Miller, you are recognized</p> <p>22 for questions.</p> <p>23 SENATOR MILLER: Thank you, Chairman. This is to</p> <p>24 Senator Latvala. We all know that in the United States</p> <p>25 Congress that the senior members are the ones that get the</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 20</p> <p>1 started at the Alabama border and we put 639,000 people in</p> <p>2 the green district and then we put 639,000 people in the</p> <p>3 brown district, which is District No. 2, and then we took</p> <p>4 the next 639,000 people and put it into Congressman</p> <p>5 Thurman's district.</p> <p>6 Now, what that allows us to do was leave her in a</p> <p>7 district that's roughly half of what she currently</p> <p>8 represents. If you look at the map under Tab 5, which is</p> <p>9 the current map, you notice that she currently represents</p> <p>10 the same area in Marion that is in the new district, she</p> <p>11 represents all of the Citrus, which we've left part of</p> <p>12 Citrus in the new district, she represents all of Levy,</p> <p>13 which we've left in its entirety in the district.</p> <p>14 She represents Alachua, which is the largest county in</p> <p>15 her current district as well as the largest county in her</p> <p>16 new district, and she currently represents part of Columbia</p> <p>17 which we have left in the new district.</p> <p>18 Now, if we only put what was in her old district in</p> <p>19 the new district, because of the way, you know, the</p> <p>20 population works, the people of Suwannee County and Dixie</p> <p>21 County, which are between where her old district is and</p> <p>22 where the population runs out on Congressional District 2,</p> <p>23 the people in the upper part of Columbia County would be</p> <p>24 without a Congressional representative, so you have to fill</p> <p>25 in.</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 19</p> <p>1 best committee assignments, committee chairmanships, and</p> <p>2 can bring home the bacon to their specific districts. If</p> <p>3 you come in as a freshman in the Congress, you know that</p> <p>4 you start off at the bottom of the ladder and have to work</p> <p>5 your way up and sometimes that takes a lot of years to do</p> <p>6 that.</p> <p>7 I'm specifically talking about District 5 where Karen</p> <p>8 Thurman is. She serves on the House Ways and Means</p> <p>9 Committee, she's used her position to help Social Security</p> <p>10 programs, social service programs, she's helped the</p> <p>11 disabled. That basically helps millions of people</p> <p>12 throughout the state and throughout this country.</p> <p>13 But yet, on your proposed map on District 5, you are</p> <p>14 moving her up north of where she serves now and stretching</p> <p>15 her district from the Gulf Coast to the Atlantic Ocean,</p> <p>16 which makes it, you know, a very difficult district for her</p> <p>17 to run in, which means that if she loses, there is a</p> <p>18 freshman in that district and, therefore, Florida and its</p> <p>19 constituency loses a very powerful person on a very</p> <p>20 powerful committee that can bring the bacon back home to</p> <p>21 the state. My question is, why would we want to do that?</p> <p>22 CHAIRMAN WEBSTER: Senator Latvala.</p> <p>23 SENATOR LATVALA: Thank you, Mr. Chairman, and thank</p> <p>24 you, Senator Miller, for that question because there is</p> <p>25 really a very simple answer and the simple answer is, we</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 21</p> <p>1 And then when you fill in, you end up, you know,</p> <p>2 having to pull them from the south end of the district. I</p> <p>3 think, in that particular district, we have done a good job</p> <p>4 of keeping the community of interest together.</p> <p>5 We have -- we have kept agricultural counties</p> <p>6 together, those are the counties that are left in that</p> <p>7 district are very, you know, Dixie, Gilchrist, Columbia,</p> <p>8 Suwannee, Baker, a lot of agriculture communities. The</p> <p>9 counties that she's lost at the southern end of the</p> <p>10 district are very heavily with retirees, and we have</p> <p>11 combined in the new proposed District 13 the communities of</p> <p>12 interest with a lot of retirement communities, and so</p> <p>13 forth.</p> <p>14 SENATOR MILLER: Follow up, Mr. Chairman.</p> <p>15 CHAIRMAN WEBSTER: You are recognized.</p> <p>16 SENATOR MILLER: Senator Latvala, I appreciate your</p> <p>17 answer and I appreciate all the hard work that you have</p> <p>18 done in trying to do a difficult job of drawing these</p> <p>19 districts up, believe me I understand that, because it's</p> <p>20 like a water balloon, you push in on one end and it pops</p> <p>21 out the other end, you push on one end and it pops out the</p> <p>22 other end.</p> <p>23 But when you look at the current map that we have</p> <p>24 right now that, the 1996 map, and when you look at that</p> <p>25 proposed map, when you look at that particular district,</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 22</p> <p>1 it's -- and I'm not an expert or familiar with a lot of  2 these counties in north Florida, but -- I don't know the  3 commonality when you stretch from Levy over to Suwannee to  4 the west and up to Nassau to the north, number one.  5 And, number two, you take her out of her base and push  6 her northward, you take her out of some counties that she's  7 represented for ten years and push her into a north county  8 that the commonality and her base is just totally  9 destroyed, and I don't -- that is the part that I asked,  10 why we did that, knowing that we have a senior -- well, I  11 don't know if it's a senior member or junior member these  12 days -- sitting there that sits on a very powerful  13 committee with a lot of clout and then just shift her  14 completely up into a base that's north of what her normal  15 base would be.  16 CHAIRMAN WEBSTER: Senator Latvala.  17 SENATOR LATVALA: Well, Senator Miller, I thought I  18 answered the question. We had to fill in with some people  19 who have to come out of the second district based on  20 population, so we had to add those somewhere.  21 Now, I guess the alternative would have been we could  22 have taken Dixie and Columbia and Hamilton Counties and we  23 could have connected them to Orlando or Tampa or something  24 but, you know, we felt like they had more commonality with  25 Levy and the counties that butted up against them. So, we  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 24</p> <p>1 the fact is that, you know, I said there's a lot of people  2 who live in my district now who have moved out into that  3 particular area, the area that Senator Wasserman-Schultz  4 lives in, and, to me, there's a community of interest, the  5 people think alike on issues.  6 There's a religious commonality up there between her  7 district and my district. I don't know, I -- she seems to  8 be emphasizing this beach. You know, maybe she doesn't  9 like the beach, maybe that's why she doesn't go to the  10 beach, but the bottom line is it seems to me, and I wonder  11 if somebody could fill me in on what establishes, is that  12 sole factor that there's a beach and nothing else can be  13 shown to have a community of interest?  14 Does religion, do values, do home prices, what -- I  15 mean, I -- we have a nude beach too in my district and I  16 don't know if that has any commonality of interest with the  17 people in Senator Wasserman-Schultz's district.  18 (Laughter.)  19 CHAIRMAN WEBSTER: We might be somewhat unsure of the  20 question.  21 SENATOR SILVER: I guess I'm asking, what are the  22 factors, and I apologize, what are the factors that  23 determine communities of interest? Is there one factor, is  24 there a combination of factors, which I think it is --  25 CHAIRMAN WEBSTER: Senator Latvala.  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 23</p> <p>1 left those together.  2 My conversation with Congressman Thurman indicated her  3 number one priority in her district was maintain Alachua  4 County, which we did in this district.  5 SENATOR MILLER: Thank you, Mr. Chairman.  6 CHAIRMAN WEBSTER: Further questions? Senator Silver.  7 SENATOR SILVER: Thank you, Mr. Chairman. I just want  8 to readdress the issue that Senator Wasserman-Schultz  9 brought up about the district that I would be living in and  10 then she would be living in, I guess --  11 CHAIRMAN WEBSTER: Is this a question?  12 SENATOR SILVER: Yes.  13 CHAIRMAN WEBSTER: Okay. You are recognized.  14 SENATOR SILVER: Oh, sorry. We may not get to the  15 question for a couple of lines, but I'll try to put it in  16 question form. Again, this question of community of  17 interest, and maybe somebody can address this issue is what  18 I'm asking about, because what Senator Wasserman-Schultz,  19 and I don't know if it satisfies sufficiently, you know,  20 because I'm not going to make a legal determination, but  21 she is suggesting that because the district has the beach  22 now, that the beach is the only community of interest  23 factor that there is there; however, I believe that, and I  24 tried to illustrate this point last time and she didn't  25 like it last time and probably won't like it this time, but  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 25</p> <p>1 SENATOR LATVALA: I think things that determine a  2 community of interest are, you know, for instance,  3 industry, you know, the nature of the community,  4 agricultural communities, the nature of the demographics of  5 the area, age, you know, income, a number of things.  6 And you have to take all those things and put them  7 together and try to make the best determination that you  8 can.  9 CHAIRMAN WEBSTER: Senator Campbell.  10 SENATOR CAMPBELL: Senator Latvala, can I ask a  11 question on those criteria then? On Congressional District  12 24, all of those things you have just said, let's take  13 Glades County and Broward County and Collier County. Are  14 there just a couple of little differences in those  15 counties? Some of those are agricultural.  16 SENATOR LATVALA: Well, Senator Campbell, we -- in  17 this map we have combined the agricultural communities of  18 the interior of south Florida as well as we could.  19 SENATOR CAMPBELL: Well, I live in Broward County.  20 SENATOR LATVALA: When we heard testimony in the  21 hearings in Lee and Collier Counties, it was very, very  22 loud and clear. And that is that they wanted Lee and  23 Collier Counties kept together as much as we could.  24 So, if you will notice, we kept Lee and Collier, the  25 coastal area, which is where most of the people are, we  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 26</p> <p>1 kept that together. Then there's 60 or 70 or 80,000 extra  2 people more that would go in one Congressional district  3 that were left over, so, rather than arbitrarily cutting it  4 east and west and cutting retirees in half, we cut out  5 Immokalee and Lee High Acres, and so forth, that were more  6 agricultural in nature, as well as the -- like Glades and  7 Highlands and Hendry, which are all very agricultural in  8 nature.  9 It is kind of a function of, you know, where the  10 people are. You are down at the end of the state, you have  11 got people left and you've got to find a place for them.  12 SENATOR CAMPBELL: With all due respect, I was at the  13 same meetings with you, and I believe the testimony I  14 heard, at least from Collier County, is that it didn't even  15 want to be connected to Broward or Dade County, although  16 they said if they're going to be connected with somebody,  17 they would rather be connected with Broward County, but  18 never Dade County.  19 And it seems to me that my folks in Broward County  20 have absolutely nothing in common with the good folks up in  21 Glades County or Hendry County based upon all the criteria  22 that we just spoke about. And it also seems like the  23 county -- or that district map is 279,000 people I guess is  24 very significant for Miami-Dade County and, again,  25 Miami-Dade County is a very nice county, I love the folks  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 28</p> <p>1 And I think that Senator Latvala recognized what he  2 was talking about and used that.  3 CHAIRMAN WEBSTER: Senator Diaz de la Portilla.  4 SENATOR DIAZ de la PORTILLA: In my humble opinion  5 also, I would have to concur with Senator Campbell's humble  6 opinion that there's 98,000 people more or less from  7 Broward County, District 24, and 269,000 in Miami-Dade  8 County. Even then -- even in Miami-Dade County and Broward  9 County don't have communities of interest and two very  10 different counties.  11 If you throw in all of these other counties, and in  12 all of the public testimony that I went to, and I went to  13 the Naples' public hearing, I went to the Immokalee one,  14 and, I mean, speaker after speaker said, We do not want to  15 be connected to either Dade or Broward County. And, you're  16 right, they preferred Dade -- I mean, Broward over Dade.  17 And the same sentiment exists in Dade County and in  18 Broward County and we feel that we should not -- as far as  19 communities of interest are concerned, that we should not  20 be connected to -- you know, we don't want our Congressman  21 to live in Immokalee or to live in Naples.  22 And I think, I looked at the map and I don't envy the  23 task that you have to go through to get there, but if you  24 look at the size of that district, the number of counties,  25 there's such vast differences that I think that it would be  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 27</p> <p>1 down there, but I think a lot of people from Miami-Dade  2 County have a lot of different things than the folks up in  3 Collier County.  4 So, I just -- if we use those criterias, I'm just  5 pointing out in my opinion, it is a humble opinion, that  6 you failed as far as Senate District -- or Congressional  7 District 24. But that's humble.  8 SENATOR LATVALA: Well, Senator, in my equally and  9 perhaps even more so humbly opinion, you know, when you are  10 dealing with where population centers are, if we would  11 have, for instance, connected Broward and Collier together  12 and left Miami-Dade out, we would have had 279,000 extra  13 people who didn't connect with their district somewhere  14 else.  15 So, you have to take the people and keep the districts  16 contiguous. We, in Collier County, if we had kept all of  17 Collier County in the coastal district, we would have had  18 to cut into Lee County, the coastal area of Lee County,  19 more so, and we felt that there was more commonality of  20 interest between the Lee High Acres' interior area of Lee  21 County and the Immokalee interior area of Collier County.  22 CHAIRMAN WEBSTER: There was some testimony, Senator  23 Campbell, on that issue by a pastor from Immokalee who  24 said, in his words, There are three states here. There's  25 Iowa, there's New York, and there's south Georgia.  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 29</p> <p>1 very difficult for any future congressman to accurately  2 represent all those different interests in all those  3 different communities.  4 I just think that maybe, perhaps, somewhere down the  5 line as we get closer to finalizing this that we need to  6 take a second look at this, and maybe, perhaps -- and I  7 know it was a difficult task, but maybe take a second look  8 and see how we can keep the communities of interest  9 constant, whole and try to do the best that we can to  10 create districts that -- where people who think the same  11 and want the same things are together.  12 SENATOR LATVALA: Well, Senator, as you and I -- as  13 you will recall, you and I did look at some portions of  14 this district and you made some suggestions that I did take  15 heed of.  16 SENATOR DIAZ de la PORTILLA: Absolutely.  17 SENATOR LATVALA: And you are also aware that, you  18 know, we have a conference process with the House, and we  19 want to make sure that we have some issues left to talk  20 about with the House. And this is one of those areas  21 where, coincidentally, there's probably a lot of House  22 interest and just enough said with that.  23 SENATOR DIAZ de la PORTILLA: Thank you, Senator.  24 CHAIRMAN WEBSTER: Senator Dawson, you are recognized  25 for a question.  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 30</p> <p>1 SENATOR DAWSON: Thank you, Mr. Chairman. I'm down on  2 this end, so I'm not hearing very well sometimes, but I  3 happen to personally know that one of the Congresspersons  4 who actually does represent -- whose district represents  5 part of Dade, Broward, Collier, Hendry and all of those,  6 Belle Glade and all that, that there was also testimony  7 from, I guess, the other Florida that indicated that they  8 had no problems with the representation and although  9 perhaps they don't always have everything in common with  10 Broward or the parts of Dade, but that they certainly  11 agreed and spoke time and time again in defense of the  12 missing Congresspersons that they like their representation  13 the way it was.</p> <p>14 So, I think to the -- in defense of the  15 Congresspersons who may not be here and to individuals who  16 may think that it may not be appropriate, there are some of  17 us who believe that there are ties and that it is working  18 just fine. So, some folks may have heard one thing at the  19 hearing and some folks probably heard another.</p> <p>20 Thanks, Mr. Chairman.</p> <p>21 CHAIRMAN WEBSTER: Further questions?</p> <p>22 SENATOR HOLZENDORF: Mr. Chairman?</p> <p>23 CHAIRMAN WEBSTER: You are recognized.</p> <p>24 SENATOR HOLZENDORF: Thank you, Mr. Chairman. Mr.  25 Chairman, I want to go back to the north Florida area where  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 32</p> <p>1 Congresspeople as it -- because of the way that that has to  2 enter the district.</p> <p>3 So, I wanted to ask Senator Latvala to explain to me  4 that. Because it appears if you were to do a district that  5 had -- that did Baker County, did Baker, Columbia, Union,  6 Bradford, Clay, Putnam, Marion, and the Duval County area,  7 which is currently represented by Congressman Stearns I  8 think, that you would have a district there and then  9 Alachua, Gilchrist, Dixie, Levy, Citrus, Hernando and  10 Pasco, which are communities -- similar communities, would  11 also have a district there.</p> <p>12 So, that's my concern, that the district will now go  13 from Marion County to Nassau County.</p> <p>14 SENATOR LATVALA: Senator, we have a -- we don't have  15 a lot of difference in Nassau County, the -- for instance,  16 from the amendment that I believe you are the co-sponsor  17 of. You take a district from Suwannee and Marion Counties  18 all the way to the ocean there and have Fernandina Beach  19 and Amelia Island in it, at least in our plan, we do not --  20 the committee plan, we do not have the Amelia Island  21 retiree and tourist area in with the agricultural area,  22 which is the way, I believe, your amendment does.</p> <p>23 So, in terms -- I mean, we did have that as one of the  24 things that we looked at. We had the interior part of  25 Nassau County, which is more agriculturally oriented, in  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 31</p> <p>1 you are running Congressional District 5 into north Duval  2 County and Nassau County and then running District 4, I  3 think that's District 4, down into the Daytona area. And  4 those two districts wrap around Congressional District 3,  5 which is, has been designated as the minority district.</p> <p>6 Now, in north Duval County, Nassau County, St. Johns  7 County, and going down the coast with the beaches, those  8 are tourists' kinds of states, cities, or whatever,  9 counties, and when you add that to Baker, Union, Bradford,  10 Alachua, Marion, and Levy Counties, then you are getting  11 into the open rural counties in terms of communities of  12 common interests.</p> <p>13 I don't know why the Senate -- why the Congressional  14 District 4 ran the way it did and just picks up Atlantic,  15 Neptune, Jacksonville and Fernandina Beach and did not do  16 the wraparound for Nassau County and the northern part of  17 Duval County, but I want to register that that is a concern  18 and I have a stack of letters from Senator Thurman in  19 opposition to that, number one, and, secondly, that the  20 testimony regarding this particular district was that the  21 people wanted to keep, I think it was Alachua, Levy,  22 Columbia, Marion, Citrus, Hernando and Pasco Counties.</p> <p>23 And the reason I raise that issue is because it makes  24 a difference as to how Congressional District 3 goes into  25 the Volusia County area, which is a concern of the  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 33</p> <p>1 with the other agriculture counties, but we did not include  2 Fernandina Beach, which is not agriculturally oriented in  3 that district.</p> <p>4 SENATOR HOLZENDORF: Mr. Chairman, I don't know what  5 agricultural interest is in Nassau County, and I have a  6 home there, and so I'm kind of curious to know about their  7 agricultural -- and particularly, the agricultural interest  8 in north Duval County where we are attempting now to put in  9 malls and gated communities for Senator Wasserman-Schultz  10 to come visit us.</p> <p>11 But I don't understand how you get those counties tied  12 to Baker, Columbia, Union, Bradford and those counties to  13 come up with a district and say that there are things that  14 are common among those counties that would warrant them  15 being put in the same district. I know that the numbers  16 have to be there, but I think there's another way to get  17 those numbers.</p> <p>18 SENATOR LATVALA: Well, Senator Holzendorf, you know,  19 I obviously don't know as much about that as you do,  20 although I used to live up in Jackson many years ago, but  21 one of the things that stands out in my mind is that I do  22 know enough about it to know that there's a whole lot of  23 difference between Yulee and Hilliard and Amelia Island,  24 okay, in terms of the interests of the people, their  25 backgrounds, there's a lot more Florida natives live in  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 34</p> <p>1 those areas, a lot more retirees live on the Island.</p> <p>2 I also know that in the western part of Duval County,</p> <p>3 you get on 301, you hit a sign that says, Jacksonville city</p> <p>4 limits, Duval County, and you drive for another 20, 25</p> <p>5 minutes before you see civilization. There's a lot of tree</p> <p>6 farms out there, there's a lot of agriculture that you're</p> <p>7 seeing in western Duval County and in western Nassau County</p> <p>8 when you land at the airport in Jacksonville. And those</p> <p>9 are the kinds of things we try to take into consideration</p> <p>10 here.</p> <p>11 SENATOR HOLZENDORF: Come visit us again,</p> <p>12 Mr. Chairman, and I will talk to you and show you that</p> <p>13 that's no longer in existence. But that is a concern. The</p> <p>14 airport is still out there, we do have a lot of property</p> <p>15 out there, but there's a lot of development out there. The</p> <p>16 agricultural interests -- the only thing we really had out</p> <p>17 there was a dairy farm which is now -- has been sold and is</p> <p>18 becoming a development.</p> <p>19 And Bradford County, Union County have the P farms.</p> <p>20 When I say "P farms," the prisons, and to tie that to</p> <p>21 northern Duval County, it is just -- it just doesn't make</p> <p>22 sense.</p> <p>23 CHAIRMAN WEBSTER: Okay. Senator Lee.</p> <p>24 SENATOR LEE: Thank you, Mr. Chair. I would like to</p> <p>25 look at the area in eastern Hillsborough County south of</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 36</p> <p>1 notice on this map, we've kept most of Plant City and the</p> <p>2 strawberry area, and so forth, in with Polk County, which,</p> <p>3 you know, is currently in the district together and</p> <p>4 currently a very agriculturally oriented district.</p> <p>5 We did add Sun City to that district which had</p> <p>6 previously been in the Manatee County district, as opposed</p> <p>7 to trying to, you know, cut Hillsborough up into five</p> <p>8 districts.</p> <p>9 So, we will continue to move forward and try to find</p> <p>10 another way of doing it, but we -- this is an improvement</p> <p>11 over where we started.</p> <p>12 CHAIRMAN WEBSTER: Senator Diaz de la Portilla.</p> <p>13 SENATOR DIAZ de la PORTILLA: Just one more quick</p> <p>14 question for Senator Latvala. I was looking at the Osceola</p> <p>15 and Orange Counties of south Florida and it seems to me,</p> <p>16 there really isn't a Congressional district carved out for</p> <p>17 Speaker Feeney; is there any particular reason for that, or</p> <p>18 what changes --</p> <p>19 SENATOR LATVALA: Do you have an amendment on that</p> <p>20 that you want to bring forward? There is a tremendous</p> <p>21 population growth in two parts of the state, it's across</p> <p>22 the band in central Florida from west to east and in south</p> <p>23 Florida.</p> <p>24 You know, south Florida gets pretty skinny when you</p> <p>25 get down to the bottom, there's not a lot of extra places</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 35</p> <p>1 I-4 if I could real quick, sort of blow that up. And</p> <p>2 the -- first, the map today is, that we are looking at, I</p> <p>3 want to say is an improvement over the '96 plan in terms of</p> <p>4 that community of interest, a considerable improvement.</p> <p>5 I have looked at the House of Representatives' map, it</p> <p>6 has carved that whole area up quite a bit. There's not</p> <p>7 going to be an opportunity for someone from that area to be</p> <p>8 elected to Congress simply because of the population size,</p> <p>9 that's really not the issue, I want to make that perfectly</p> <p>10 clear. It's got good representation in the Senate in terms</p> <p>11 of being able to elect its own. But when you look at who</p> <p>12 they elected, maybe it's a good thing they can't elect</p> <p>13 people to Congress and the House of Representatives from</p> <p>14 eastern Hillsborough County.</p> <p>15 But the question I guess I have is, and I have talked</p> <p>16 to Senator Latvala about this before. As we go into</p> <p>17 conference, I presume there will be additional</p> <p>18 opportunities to take a look at how we address the issue of</p> <p>19 the area south of I-4 in southern Hillsborough County to</p> <p>20 see if there's maybe another way to consolidate that a</p> <p>21 little bit as we go forward.</p> <p>22 SENATOR LATVALA: Well, Senator Lee, that's one of the</p> <p>23 changes you know I made from the very first proposed map</p> <p>24 that we put up was when you raised some concerns about the</p> <p>25 way that eastern Hillsborough County was done. And you'll</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 37</p> <p>1 to put the new district. In central Florida, you know, it</p> <p>2 could have been on the east side, it could have been on the</p> <p>3 west side, it was the subcommittee's desire to put it on</p> <p>4 the west side.</p> <p>5 SENATOR DIAZ de la PORTILLA: For a follow up?</p> <p>6 CHAIRMAN WEBSTER: Are there further questions?</p> <p>7 SENATOR DIAZ de la PORTILLA: Just a follow up.</p> <p>8 CHAIRMAN WEBSTER: You are recognized for follow up.</p> <p>9 SENATOR DIAZ de la PORTILLA: I said it kind of tongue</p> <p>10 in cheek but those areas have a large Hispanic population,</p> <p>11 both of the new districts will potentially have large</p> <p>12 Hispanic populations if you draw it a certain way, and from</p> <p>13 my perspective, I think it's very important that we do</p> <p>14 everything in our power to ensure that Hispanics are</p> <p>15 properly represented today in Congress and have an</p> <p>16 opportunity at least to participate in the process and have</p> <p>17 a say in those -- during that election cycle.</p> <p>18 I just wanted the record to reflect that we need to</p> <p>19 fight for Hispanic empowerment and inclusion in this</p> <p>20 process and I know you are sensitive to that, we have</p> <p>21 talked about this before, but I just wanted the record to</p> <p>22 reflect that.</p> <p>23 SENATOR LATVALA: Yes, sir. Thank you.</p> <p>24 CHAIRMAN WEBSTER: Further questions? Okay. The</p> <p>25 first amendment we are going to take up is by Senator</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 38</p> <p>1 Jones. And that amendment is under Tab 4.</p> <p>2 By the way, if anyone is interested in the real text</p> <p>3 of these amendments or bills, it's in this blue book down</p> <p>4 here. If you like reading numbers, it's available to</p> <p>5 anyone on the committee who would like to look at them.</p> <p>6 Senator Geller.</p> <p>7 SENATOR GELLER: You said, if we want to see the real</p> <p>8 text that's available. You mean that this is a phony text</p> <p>9 that we have been working off of all along?</p> <p>10 CHAIRMAN WEBSTER: No, it's just a more understandable</p> <p>11 text. Mr. Jones, you're recognized.</p> <p>12 SENATOR JONES: Thank you, Mr. Chairman. Members, I'm</p> <p>13 going to speak from the podium here so that I can also get</p> <p>14 a good look at the map and take advantage of some other</p> <p>15 things here with John to make sure that we are looking at</p> <p>16 the right things.</p> <p>17 John's going to bring up basically three maps. We are</p> <p>18 going to take a look on the left-hand side, the amendment</p> <p>19 that I'm proposing right now. In the middle you'll see the</p> <p>20 amendment that's being proposed by Senator Latvala and on</p> <p>21 the right you will see the current 1996 Congressional map</p> <p>22 that they are using.</p> <p>23 My presentation today will be divided up into four</p> <p>24 areas. First, I'll talk about the goals and principles</p> <p>25 that guide the map that's before you now. Second, we'll</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 40</p> <p>1 This was done with virtually all the districts and</p> <p>2 there are probably two exceptions with respect to</p> <p>3 incumbents and I'll explain those when we get to them.</p> <p>4 So, therefore, in terms of the principle of</p> <p>5 incumbency, I think we do a better job of making that</p> <p>6 happen. The third principle respects political boundaries</p> <p>7 in subdivisions and communities of interest. And what you</p> <p>8 will find is that we did a, I think, a better job of making</p> <p>9 sure that counties were kept whole and communities of</p> <p>10 interest that testified at public hearings were kept</p> <p>11 together.</p> <p>12 And, finally, the fourth and final principle is that</p> <p>13 this map reflects very strongly the public testimony that</p> <p>14 we received in the public hearings.</p> <p>15 Now, part two, talking about the minority access</p> <p>16 seats. As you know, there are some specific, extraordinary</p> <p>17 considerations associated with the minority access</p> <p>18 districts, not only the African-Americans, which are the</p> <p>19 only ones that have been discussed thus far, but also with</p> <p>20 the Hispanic seats, that's also very important, the same</p> <p>21 criteria applies.</p> <p>22 So, with respect to Corrine Brown's seat, if you were</p> <p>23 to compare that seat, District 3, with the one that's being</p> <p>24 offered by Senator Latvala as well, they are virtually the</p> <p>25 same with respect to performance. Basically, 60-plus</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 39</p> <p>1 talk about the minority access seats. Third, what's</p> <p>2 happening with all of the incumbents in this particular</p> <p>3 amendment and then, finally, we'll talk about the new</p> <p>4 districts.</p> <p>5 First of all, I think it's important that we have</p> <p>6 principles and guidelines that basically guide us in</p> <p>7 developing these maps. Senator Latvala talked about, you</p> <p>8 know, grabbing X number of people and putting them in a</p> <p>9 district and moving on and I think that that's okay, but</p> <p>10 there are some very important things which I'm sure he's</p> <p>11 aware of that we need to do.</p> <p>12 First of all, you can't have significant deviations in</p> <p>13 population in these maps. And certainly in this one, there</p> <p>14 are eight districts out of the 25 that don't have the</p> <p>15 perfect level population, four of them one person more,</p> <p>16 four of them have one person less. That's about as good as</p> <p>17 you can do.</p> <p>18 Where population shifts are necessary because there</p> <p>19 were too many people in an old district or too few people</p> <p>20 in an old district, we sought to minimize the disruptions</p> <p>21 as compared to the '96 map and we strived to make sure that</p> <p>22 the maps that's offered to you on the left closely resemble</p> <p>23 the map that's offered on the right as much as possible so</p> <p>24 that the same incumbents are representing the same people</p> <p>25 when the map is done to the maximum extent possible.</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 41</p> <p>1 percent performance for Gore. They are both very highly</p> <p>2 Democratic, 63 percent Democratic, and they both have a</p> <p>3 voting age population of about the same. The one that I'm</p> <p>4 proposing has a voting age population, black population, of</p> <p>5 46 and a half percent, and Senator Latvala's has 47.8</p> <p>6 percent voting age population, so they are virtually the</p> <p>7 same with respect to performance and population.</p> <p>8 Senator Meek -- Congresswoman Meek's district down in</p> <p>9 Dade County, District 17, is less than a percentage point</p> <p>10 difference between the one that's being offered by Senator</p> <p>11 Latvala versus the one that we are offering. Virtually the</p> <p>12 same.</p> <p>13 In District 23 for Congressman Hastings, very close to</p> <p>14 being the same district with respect to geographics as well</p> <p>15 as populations and performance, with the exception that the</p> <p>16 one that we are presenting here, in terms of black voting</p> <p>17 age population, there's 52.5 percent versus the one that</p> <p>18 Senator Latvala is offering, which is 47.7 percent.</p> <p>19 So, if there's any regression at all among black</p> <p>20 districts, it appears in Congressman Hastings' district as</p> <p>21 being presented by Senator Latvala.</p> <p>22 With respect to the Hispanic seats, I found this to be</p> <p>23 very interesting in comparing the two. With respect to the</p> <p>24 Hispanic seats, Congressman Diaz-Balart in 21, very safe in</p> <p>25 both districts, in both versions. Basically, sitting</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 42</p> <p>1 around 62 percent Bush, and in the one that we are  2 presenting versus 66 percent Bush, and the one that Senator  3 Latvala represented, both of the -- 52, 54 Republican  4 registration in the respective districts, and 78.5 percent  5 Hispanic voting age population versus 80 percent voting age  6 population that's Hispanic.</p> <p>7 But the real one that was interesting to me in the  8 comparison was the one, the comparison for Ileana  9 Ros-Lehtinen's district, District 18. We are about 9  10 points better for her than Senator Latvala's district in  11 that one and I'm not sure why except that Bush performs at  12 62 and a half percent in the district that we are  13 presenting.</p> <p>14 He only performs at 53 and a half percent, and the one  15 that Senator Latvala is offering, and there's, I think,  16 significant retrogression in the committee amendment here  17 that Senator Latvala is offering in that what we have in  18 our plan is 73.7 percent voting age population for  19 Hispanics, and whereas he has only 63 percent.</p> <p>20 So, there's only a 10 percent difference there. And  21 the seat is competitive when it comes down to it in Senator  22 Latvala's district. Democratic Hispanic probably -- I  23 mean, you still elect a Hispanic no matter what, but I  24 think that a Democratic Hispanic would have a legitimate  25 shot in that particular seat that Senator Latvala has</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 44</p> <p>1 Stearns than does the Ledbetter district.</p> <p>2 With respect to Mica, District 7, he may have some  3 concerns about the geography, but basically, in terms of  4 performance, they are exactly the same.</p> <p>5 In District No. 8 with Rick Keller, Congressman  6 Keller, we run about 5 points better for Republicans in  7 that district than the one that's drawn by Senator Latvala  8 in terms of performance; however that district that's drawn  9 in the amendment that I'm presenting actually changes the  10 geography substantially.</p> <p>11 Currently Congressman Keller's district is largely in  12 Orange County and District 5 in the plan that we are  13 presenting, if you could zero in on No. 5 there, that's an  14 important one for people to look at, it is not totally in  15 Orange County, District 5 actually includes parts of Lake  16 and Sumter Counties as well -- or most of Lake and Sumter  17 Counties. Still a very strong Republican seat, but he may  18 get some opposition in the Republican party in a primary in  19 that particular district.</p> <p>20 In District 9, Bilirakis, virtually the same Young,  21 virtually the same. Davis, virtually the same in 9, 10 and  22 11. Putnam, we do about 3 points better for Putnam in  23 Republican numbers in the district that I'm proposing. And  24 he's running about 57 percent performance in the district  25 that we are proposing here for Putnam and it's about</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 43</p> <p>1 presented.</p> <p>2 And so, it doesn't work as well for the incumbent as  3 the one that we are presenting. So, those are the minority  4 seats.</p> <p>5 Now, with respect to the incumbents, before we get  6 into the new seats, lots of similarities between the two  7 plans, very little difference. And I'll just run through  8 them real quick. District 1, represented by Jeff Miller,  9 virtually the same. Two, that is represented by  10 Congressman Boyd, virtually the same in performance and  11 geography.</p> <p>12 I have already talked about Brown. Crenshaw in No. 4,  13 virtually the same. Number 5, you have got a difference  14 between the district that we offer for Congresswoman Karen  15 Thurman and the one that's being offered by Senator  16 Latvala.</p> <p>17 We seek to protect the incumbent and in his  18 district -- his presentation, the incumbent is not  19 protected in that particular district. What we have here  20 is a district that performs at above 50 percent for Al Gore  21 and, of course, Senator Latvala's performance at about  22 55 percent for Bush in the one he drew for Karen Thurman.</p> <p>23 So, and in the terms of -- so, we are better for the  24 Democrat there. With respect to No. 6, Cliff Stearns,  25 Congressman Stearns, we run about 4 points better for Cliff</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 45</p> <p>1 53 percent in that one, so it may not make a difference,  2 but it's just a few points better.</p> <p>3 District No. 13 for us is comparable to the one that  4 Dan Miller is leaving, is comparable to District 14 that  5 Senator Latvala is offering. So, it's not 13 and 13, it's  6 actually 13 and 14, and they are virtually the same with  7 respect to performance.</p> <p>8 In No. 14, where Porter Goss, Congressman Goss is,  9 that's actually 14 for us and 25 in Senator Latvala's  10 district. It runs about the same in terms of the  11 performance; however, the geography is a little bit  12 different. Senator Latvala concentrated on the west coast  13 and we brought it out just a little bit.</p> <p>14 Fifteen, Congressman Weldon, virtually the same  15 performance. Sixteen, Foley, basically the same with  16 performance, by within a percentage point. I have already  17 talked about Meek and Ros-Lehtinen. Wexler, we run about 4  18 points better for Wexler, but it doesn't make a difference  19 because his numbers are so high already, so it just really  20 doesn't make a difference for him.</p> <p>21 And then for 20 and Deutsch, basically the same, about  22 3 points difference, but without making a difference. And  23 as well as -- as here's one that would probably generate  24 some interest. In District 22 for E. Clay Shaw, this  25 district, the one that was drawn by Latvala, this is one</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 46</p> <p>1 case in which his district performs better for Republicans  2 than ours does. And basically, he runs about 6 points  3 better because of the geography that he has in the district  4 on the far right for Representative Shaw.</p> <p>5 The one that we have here makes it a more competitive  6 seat. It performs 59 percent for Gore. The one that  7 Senator Latvala drew performed 53 percent for Gore, so it's  8 about a 6-point difference there.</p> <p>9 And that takes care of the incumbents. So, overall,  10 considering the incumbents, here's what you have. I think  11 that the map that we are presenting here does a much better  12 job with two exceptions of protecting the incumbents. It  13 does a better job of protecting Cliff Stearns, a better job  14 protecting Congressman Putnam, a much better job securing  15 the seat for Ileana Ros-Lehtinen, which I think will be a  16 very competitive seat.</p> <p>17 A good job for Diaz-Balart. And then probably not as  18 good a job for, in terms of Republicans, Keller and Shaw.  19 But in terms of Democrats, it does a much better job in  20 protecting Thurman which is not protected at all, I think,  21 under the Latvala plan. And does a slightly better job for  22 Wexler. So, that's what it does for the incumbents.</p> <p>23 The final point are the new districts. It's easiest  24 to compare, I think -- you know, our new districts are  25 Districts 24 and 25. I think you can compare our 25 to  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 48</p> <p>1 to Key West. This one goes from Highlands County to Key  2 West. I'm talking big miles and I'm telling you I'm not  3 sure if the folks -- you know, great folks in Highlands  4 County, but I don't know that they have a lot in common  5 with Key West. And I'm not even sure the people in Key  6 West know where Highlands County is.</p> <p>7 And that surely demonstrates that there are multiple  8 communities of interest in that particular seat, so I'll  9 give you the performance numbers, still fairly close to  10 52 percent Bush, 46 percent Gore, 41 percent registered  11 Republicans, 38 percent registered Democrats, 21 percent  12 Independent, which was kind of interesting.</p> <p>13 And it -- I would say that it probably leans toward  14 Republicans. Forty-two percent of that district is in Dade  15 County in terms of population, and so while the one that we  16 are offering kind of leans Democratic, is still  17 competitive, and that one leans Republican that Senator  18 Latvala is offering. So, that's one new district.</p> <p>19 But the other new district that we are proposing  20 really doesn't have anything to compare to. The one that  21 Senator Latvala proposes, District 13, which basically is  22 in the south central Florida. The one that we are  23 proposing is 24, and it includes parts of Orange, Osceola  24 and Polk Counties, if you can bring that one up, I would  25 appreciate it. You don't need to compare it to anything.  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 47</p> <p>1 Senator Latvala's 24 because they both take into account  2 the central agricultural areas that we've heard so much  3 testimony about. As you know, people when we had our  4 Wauchula hearing talked a lot about having an  5 agricultural-type district in south central Florida and  6 really wanted to make that happen.</p> <p>7 We got two different versions of that. The one that  8 we presented on the left includes, you know, from Highlands  9 down to Broward County basically, a large district,  10 expansive, but as compact as you can put it with the  11 sparsity of populations that you have in these areas.</p> <p>12 That district performs pretty even. Actually, it was  13 46 and a half for Bush and 51 for Gore. It's got an edge  14 on Democratic registration, 45 to 38, it's not a minority  15 access seat because it only has about a 15 and a half  16 percent Hispanic voting age population. And in the end,  17 basically, it's a tossup district, although it will  18 probably lean Democrat.</p> <p>19 When you compare that one to the one on the far right  20 which Senator Latvala is proposing, that the district  21 stretches from Highlands County -- I'm sorry, not on the  22 right, in the middle, the one in the middle -- that  23 district stretches from Highlands County down to Key West.</p> <p>24 Now, you know, Peter Deutsche right now has the  25 longest district in the state. And that goes from Broward  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 49</p> <p>1 But what that one does is, our other new district,  2 what it does is it creates an opportunity for a Hispanic  3 access seat in South Florida. The numbers are kind of  4 small and it is basically a tossup seat.</p> <p>5 I couldn't tell you if it was going to go Republican  6 or Democrat because basically, it has a Republican  7 registration of 40 percent, and a Democrat registration of  8 39, 49 Bush, 49 Gore. And -- but the Hispanic population  9 is 22 percent of the voting age population, and so it could  10 be a minority access seat. And, again, it doesn't compare  11 with anything else that's in the other plan but that is the  12 other new seat.</p> <p>13 And so, Mr. Chairman, those are my comments for today  14 with respect to our amendment. I hope that I brought out  15 some points that will be beneficial to even the current  16 plan that's being offered by Senator Latvala because I  17 think there's some things to take note there that could  18 help improve either one of our plans. And I stand ready  19 for questions, Mr. Chairman.</p> <p>20 SENATOR KLEIN: Mr. Chairman?</p> <p>21 CHAIRMAN WEBSTER: Senator Klein, you are recognized  22 for a question.</p> <p>23 SENATOR KLEIN: Thank you, Mr. Chairman. The central  24 Florida seat you were just talking about, what -- does that  25 have any African-American population of any significance?  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 50</p> <p>1 SENATOR JONES: Not of major significance. Let me 2 tell you real quick. It is -- the African-American 3 population in District 25, non-Hispanic black, is only 7 4 and a half percent.</p> <p>5 SENATOR KLEIN: Okay. And the Hispanic population, 6 you said is 22 percent, somewhere in that area?</p> <p>7 SENATOR JONES: The total Hispanic population -- hold 8 on a second.</p> <p>9 SENATOR MILLER: Senator Jones, I think you are 10 looking at the wrong map. You're looking at 25, you should 11 be looking at 24.</p> <p>12 SENATOR JONES: I should be looking at 24. That's 13 right. Hold on a second. The black population in that 14 district is 8.4 percent and the Hispanic population is 15 21.7.</p> <p>16 SENATOR KLEIN: Okay. So, about 22 percent. Does 17 that take into account -- we all know there's been a 18 significant growth of Hispanic population in central 19 Florida, does that seat then become sort of the centerpoint 20 for Hispanic population?</p> <p>21 SENATOR JONES: Yes, it becomes a potential Hispanic 22 access seat.</p> <p>23 SENATOR KLEIN: So, it sort of consolidates the 24 Hispanic population in that area to possibly elect a 25 Hispanic?</p> <p>DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 52</p> <p>1 and I have represented some part of Indian River County for 2 ten years. And I know, despite the desires of my good 3 friend Mark Foley, to want to give a little bit of 4 territory in Indian River County, the hue and cry of the 5 residents of Indian River County has never been louder on 6 any issue that I've represented them in the ten years.</p> <p>7 And they said, We want to be in one district, and that 8 district is 50, we identify with Brevard County for a 9 litany of reasons, we have a resolution from the county 10 commission from every city council, from dozens of 11 citizens, and then I look on your map here, and if I read 12 it correctly, they just have like one little drop in 13 Brevard County.</p> <p>14 SENATOR JONES: Right.</p> <p>15 SENATOR POSEY: Three-quarters of the county is in an 16 area that's 46 percent Democrat, 39 percent Republican, but 17 the biggest insult and disenfranchises that I have ever 18 seen is the majority of the voters in there, and by the 19 way, I don't think that the dogcatcher is a Democrat in 20 Indian River County, I don't think there's a single 21 non-Republican elected in that county. I may be wrong but 22 I don't think there is.</p> <p>23 But now I see that the majority of their population is 24 getting thrown into a district with 73 percent Democratic 25 registration and only 15 percent Republican registration</p> <p>DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 51</p> <p>1 SENATOR JONES: Yes. What you will find in Florida, 2 which is kind of interesting, is that whenever you draw a 3 district, with only two exceptions in the state, that has a 4 minority population of 22 percent or above, it tends to 5 elect that minority. And the only two exceptions to that 6 are the seats that are currently held by Buddy Dyer and 7 seat that's currently held by the House member from 8 Pensacola, Benson, Holly Benson. Those are the only two 9 exceptions to that.</p> <p>10 So, it shows how progressive Florida can be. There 11 are a lot of places where you could have much higher 12 minority populations and not elect one in other states of 13 the country.</p> <p>14 CHAIRMAN WEBSTER: Okay. Senator Posey, you are 15 recognized for a question.</p> <p>16 SENATOR POSEY: Thank you, Mr. Chairman. Senator 17 Jones, I just want to compliment you on the goals and the 18 principles that you started out to work this out on because 19 they all seem very, very commendable to me.</p> <p>20 And I didn't weigh in on the discussions of any of the 21 other districts because I'm not intimately familiar with 22 the territories, I didn't attend the hearings in all the 23 areas of the state like some people did.</p> <p>24 But what I do know pretty doggone good is my own 25 backyard. I represent the majority of Indian River County</p> <p>DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 53</p> <p>1 and if you can find a bigger disenfranchisement in any 2 appropriations' map, I would greatly appreciate it if you 3 would point it out to me that they're the worst case of 4 this I have ever seen if this map passes.</p> <p>5 SENATOR JONES: Which district has 73 percent 6 Democratic registration?</p> <p>7 SENATOR POSEY: The way I read it, the one below it, 8 the yellow one. I don't have my reading glasses on so I 9 can't tell.</p> <p>10 SENATOR JONES: No, no, no. That's -- that would be 11 Mark Foley's district.</p> <p>12 SENATOR POSEY: Is it 16?</p> <p>13 SENATOR JONES: Yeah, 16.</p> <p>14 SENATOR POSEY: Well, Mark is not that bad, maybe I 15 mistook that for 18 and it wouldn't be so bad. So, instead 16 of only getting put into one district like they wanted, 17 they are only getting put into three districts, but none of 18 them are quite that bad.</p> <p>19 SENATOR JONES: Yeah, basically, you've got that 20 divided -- you're right, though, and I heard the testimony 21 earlier today, but those three districts are 15, 16 and 25, 22 and, of course, 25 is the new one, but 15 and 16 are Dave 23 Weldon and Mark Foley.</p> <p>24 SENATOR POSEY: Okay. So, just one of the -- two of 25 them are Republican districts, one of them is a Democratic</p> <p>DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 54</p> <p>1 district now.</p> <p>2 SENATOR JONES: Well, one's a maybe because it's a</p> <p>3 close call, the 25, the one that is District 25, the gray</p> <p>4 area, if you are looking at that book, the gray area is a</p> <p>5 new district that has no incumbent at all. And that</p> <p>6 district is kind of a tossup with maybe a slight lean to a</p> <p>7 Democrat depending on who's running.</p> <p>8 SENATOR POSEY: Okay. Well, 15 under your plan would</p> <p>9 be even a closer tossup than that one, wouldn't it?</p> <p>10 SENATOR JONES: Fifty?</p> <p>11 SENATOR POSEY: That's a 7-point spread favor in</p> <p>12 Democrats and -- that you call that a tossup on 25 and it's</p> <p>13 only a 5-point spread favoring the Republican on 15. I</p> <p>14 thought -- so, that makes it worse, yes, that's even more</p> <p>15 insult to more injury.</p> <p>16 SENATOR JONES: That's 52 percent Gore and 46 percent</p> <p>17 Bush, that's why I said that, and -- but I understand what</p> <p>18 you are saying. But even Latvala's, Senator Latvala's</p> <p>19 district, divides into two Congressional seats and we -- I</p> <p>20 think that there's a consensus that they all need to be in</p> <p>21 one district.</p> <p>22 SENATOR POSEY: Senator Latvala has pretty much</p> <p>23 committed and I hope the big Chair will too, that we are</p> <p>24 going to move this line down there as we go through the</p> <p>25 process and make things mesh a little bit better. But, you</p> <p>DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 56</p> <p>1 SENATOR JONES: That's a new district, but as I said</p> <p>2 before, there's no plan that puts them all in one district</p> <p>3 right now, but we're all going to work toward it.</p> <p>4 SENATOR POSEY: Well, we've got 80 percent of them in</p> <p>5 and we have a commitment from the committee Chairman that</p> <p>6 we are going to move that line down in the process with the</p> <p>7 House and it would be moving an awful lot of lines around</p> <p>8 to ever get them in one under this plan as I see it now.</p> <p>9 SENATOR JONES: Maybe that's how it works, you just</p> <p>10 work through the process together.</p> <p>11 CHAIRMAN WEBSTER: Okay. Senator Diaz de la Portilla,</p> <p>12 you're recognized for questions.</p> <p>13 SENATOR DIAZ de la PORTILLA: Thank you, Mr. Chairman.</p> <p>14 I apologize, Senator Jones, I had to step outside for a</p> <p>15 phone call but when I walked in, I heard you talking about</p> <p>16 Congressional seat 25. I heard you say 22 percent of the</p> <p>17 registered -- of the voting age population were Hispanic in</p> <p>18 that district.</p> <p>19 SENATOR JONES: No, that wasn't -- well, yes, that was</p> <p>20 25. Twenty-five is in Orlando and Polk, yeah, the 24.</p> <p>21 SENATOR DIAZ de la PORTILLA: What are the</p> <p>22 registration figures in Congressional seat 25 in your plan?</p> <p>23 SENATOR JONES: Okay. You are concerned with the one</p> <p>24 that's in south central Florida, correct?</p> <p>25 SENATOR DIAZ de la PORTILLA: Correct.</p> <p>DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 55</p> <p>1 know, when somebody is outspoken and is clear that they did</p> <p>2 not want to be broken up into more than one district, to</p> <p>3 not only cut them in half, but to slice them into thirds is</p> <p>4 just uncharacteristically mean-spirited and draconian.</p> <p>5 SENATOR JONES: I would tell you, Senator, that the --</p> <p>6 if you take a look in the back of this thing and look at --</p> <p>7 that's 25 -- but I would agree with you, that they would</p> <p>8 like probably to be together since we have heard there.</p> <p>9 It's about 13 percent as I see it.</p> <p>10 SENATOR POSEY: Jihad, yes. It's a jihad. Senator</p> <p>11 Wasserman-Schultz said this is a jihad, and we want that</p> <p>12 entered into the record.</p> <p>13 SENATOR JONES: I see what you are saying now. The</p> <p>14 part that is in Brevard County with Dave Weldon's district</p> <p>15 is a very, very small sliver, it is only just -- it is how</p> <p>16 many, 1200 people? How many people? Two thousand people,</p> <p>17 that's all it is. So, that can certainly be accommodated.</p> <p>18 SENATOR POSEY: Well, they wanted it all in there,</p> <p>19 that's what I'm saying, it's so minor, it's like their</p> <p>20 request completely got disregarded, and instead of getting</p> <p>21 put into Foley's district, which would have been the next</p> <p>22 best thing for them, or the next worst, depends on how you</p> <p>23 look at it, they got triple whammied, then got put into --</p> <p>24 is it a new district, the 25, or is that -- do we have</p> <p>25 somebody that defends that one now?</p> <p>DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 57</p> <p>1 SENATOR JONES: Okay. That's --</p> <p>2 SENATOR DIAZ de la PORTILLA: And Osceola County, I</p> <p>3 assume, that's where most of the Hispanics are, Osceola</p> <p>4 County, Kissimmee, in that area, my question is, you said</p> <p>5 22 percent were Hispanic voting age population. What</p> <p>6 percent of registration is Hispanic?</p> <p>7 SENATOR JONES: What percentage of the registered</p> <p>8 voters are Hispanic?</p> <p>9 SENATOR DIAZ de la PORTILLA: Registered are Hispanic.</p> <p>10 SENATOR JONES: I can tell you that very quickly. By</p> <p>11 the way, that is District 24 and not 25, that's in central</p> <p>12 Florida. I wanted to be sure of which one you're talking</p> <p>13 about.</p> <p>14 SENATOR DIAZ de la PORTILLA: Well, I'm not as old as</p> <p>15 Senator Posey, but my eyesight is getting there, so it</p> <p>16 seems like it's 25 to me, because it includes Osceola</p> <p>17 County.</p> <p>18 SENATOR JONES: Well, Osceola County is certainly in</p> <p>19 24, and -- but it's split between 24 and 25.</p> <p>20 SENATOR DIAZ de la PORTILLA: Whatever the numbers --</p> <p>21 Mr. Chairman, for follow up?</p> <p>22 CHAIRMAN WEBSTER: Both 24 and 25 include Osceola</p> <p>23 County, the biggest portion of it is in 25. The biggest</p> <p>24 portion of Osceola County, is that what you are asking</p> <p>25 about?</p> <p>DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 58</p> <p>1 SENATOR DIAZ de la PORTILLA: Right.</p> <p>2 CHAIRMAN WEBSTER: So, it would be 25.</p> <p>3 SENATOR JONES: The standard populations in Osceola</p> <p>4 County are in 24.</p> <p>5 SENATOR DIAZ de la PORTILLA: The Hispanic</p> <p>6 concentration is in Osceola County, in District 24?</p> <p>7 SENATOR JONES: Right.</p> <p>8 SENATOR DIAZ de la PORTILLA: But are there other</p> <p>9 Hispanic south of District 24 going into 25? And the</p> <p>10 question is, is there any kind of diluting of Hispanic</p> <p>11 power by splitting them up into different Congressional</p> <p>12 seats in your plan?</p> <p>13 SENATOR JONES: Well, District 25 contains, I'm not</p> <p>14 sure if I have those numbers, but District 25 does contain</p> <p>15 15 percent Hispanic population, but -- and I don't want to</p> <p>16 tell you, because I don't know, but my guess is that most</p> <p>17 of that is probably going to be in Broward County, or some</p> <p>18 of it's going to be in Broward and possibly Palm Beach.</p> <p>19 SENATOR DIAZ de la PORTILLA: And Osceola and</p> <p>20 Kissimmee -- or Kissimmee and Osceola and BOV S.LIKE and</p> <p>21 all those area are in 24 in your plan?</p> <p>22 SENATOR JONES: That's what I believe, but I'll check</p> <p>23 and make sure and we'll let you know.</p> <p>24 SENATOR DIAZ de la PORTILLA: One final question,</p> <p>25 Mr. --</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 60</p> <p>1 SENATOR LATVALA: Okay. Do you remember the</p> <p>2 overwhelming sentiment in Panama City that Bay County be</p> <p>3 within one Congressional district?</p> <p>4 SENATOR JONES: I think there was -- yeah, I believe</p> <p>5 that's true.</p> <p>6 SENATOR LATVALA: Is there a reason why you didn't do</p> <p>7 that?</p> <p>8 SENATOR JONES: No, other than the current district</p> <p>9 did that.</p> <p>10 SENATOR LATVALA: Okay. In terms of looking at</p> <p>11 communities of interest --</p> <p>12 SENATOR JONES: Because one of the things that I say</p> <p>13 we were trying to do, and you are right, we did have some</p> <p>14 public testimony -- I will tell you this for whatever it is</p> <p>15 worth -- there were some people -- it's not worth anything</p> <p>16 so I won't mention it.</p> <p>17 The point that -- the first principle that we had was</p> <p>18 attempting to keep, minimize the deviations where we could</p> <p>19 and have the same people represented by the same person as</p> <p>20 they were before. And the current district for District 1</p> <p>21 does that, and so we did that.</p> <p>22 SENATOR LATVALA: In terms of the communities of</p> <p>23 interest and keeping them together, I am looking at a</p> <p>24 couple of these, they look a little curious to me. One of</p> <p>25 them is District 12 where it looks to me like you are going</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 59</p> <p>1 CHAIRMAN WEBSTER: You're recognized.</p> <p>2 SENATOR DIAZ de la PORTILLA: If you put the Hispanic</p> <p>3 populations in -- combined are Hispanic populations in 24</p> <p>4 and 25 in your plan, that would take the number of Hispanic</p> <p>5 voting age population to what, roughly?</p> <p>6 SENATOR JONES: Well, see, 25 also contains parts of</p> <p>7 Dade County too -- no, it doesn't, no, it doesn't, it goes</p> <p>8 into Broward and Glades.</p> <p>9 SENATOR DIAZ de la PORTILLA: But it has southwest</p> <p>10 Broward, that is a lot of Hispanics.</p> <p>11 SENATOR JONES: Okay. So, if you could combine them</p> <p>12 all into a single district, then theoretically, you could</p> <p>13 get your way upwards to 23 plus 17, be about 40.</p> <p>14 SENATOR DIAZ de la PORTILLA: That conceivably could</p> <p>15 be done.</p> <p>16 SENATOR JONES: I don't know if you could do it or</p> <p>17 not, but we'll take a look at it.</p> <p>18 CHAIRMAN WEBSTER: Senator Latvala, you're recognized</p> <p>19 for a series of questions.</p> <p>20 SENATOR LATVALA: Thank you, Mr. Chairman. I'm going</p> <p>21 to try to take these in the same order that Senator Jones</p> <p>22 took them. Let's talk about public input first. Senator</p> <p>23 Jones, I think I remember seeing you at the public hearing</p> <p>24 in Panama City; were you not there in Panama City?</p> <p>25 SENATOR JONES: I was there.</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 61</p> <p>1 from the Carrollwood area of Tampa, north of Tampa, around</p> <p>2 through Bartow, where of course I grew up, and down through</p> <p>3 Hardee, Desoto County to get to Charlotte and then back</p> <p>4 over all the way to the coast there and -- to get Boca</p> <p>5 Grande and then also some Lee High Acres down in Lee</p> <p>6 County.</p> <p>7 What do you think ties that all together in</p> <p>8 communities of interest?</p> <p>9 SENATOR JONES: Well, basically, the only differences</p> <p>10 that you really have is going into the Hardee/Desoto.</p> <p>11 Actually, the Desoto area. I guess that is the only</p> <p>12 difference between the two that's really significant.</p> <p>13 SENATOR LATVALA: Your map -- your map goes into</p> <p>14 Charlotte and Lee as well, doesn't it?</p> <p>15 SENATOR JONES: Yeah, there we go. Charlotte as well.</p> <p>16 SENATOR LATVALA: And goes all the way over to the</p> <p>17 coast. Are you familiar with the big water problems that</p> <p>18 they have there between the Charlotte County interest and</p> <p>19 the interior, agricultural interest? Big dichotomy there.</p> <p>20 So, I'm not sure you achieved any communities of</p> <p>21 interest there. And then, of course, likewise, and I'm</p> <p>22 surprised Senator Campbell didn't ask this question, I'm</p> <p>23 looking at your new District 25, and I'm seeing -- and I</p> <p>24 think you said it started in Highlands and went to Broward,</p> <p>25 but unless I'm mistaking something, it starts around Winter</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 62</p> <p>1 Haven and Polk Counties it also has part of -- you know,  2 the Kissimmee/St. Cloud area and Osceola County and then it  3 goes down by Lake Okeechobee and it goes all the way into  4 west Broward and I'm surprised that Senator  5 Wasserman-Schultz didn't ask about the communities of  6 interest there and what would tie that together west of  7 Broward and Winter Haven and Kissimmee.  8 SENATOR CAMPBELL: Because I have a plan.  9 CHAIRMAN WEBSTER: You are not recognized.  10 (Laughter.)  11 SENATOR JONES: Both you and I have problems with that  12 one in trying to achieve the desires of the people who were  13 in the south central Florida area. You know, they wanted  14 to have a district that was largely agricultural, but then  15 we got -- you and I got in there and we found out there  16 weren't enough people, and so what you ended up doing was  17 taking it down to Key West and what I ended up doing was  18 trying to make it a little more compact so it wouldn't be  19 so difficult for the Congressman.  20 SENATOR LATVALA: In terms of the incumbency  21 protection, which I think appears from your presentation  22 was a major part of your theory here --  23 SENATOR JONES: Right.  24 SENATOR LATVALA: -- looking, and I would say you did  25 a pretty good job of protecting Congressman Thurman, but  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 64</p> <p>1 population of Sumter County, and that looks like about  2 maybe 50 to 80,000 in Marion that are not included.  3 So, that's roughly half of a district. So, I guess  4 the point I'm making is that half of Congress Stearns'  5 district that you're taking away in your map is about equal  6 to the half of Congressman Thurman's district that we are  7 taking out in the committee product.  8 SENATOR JONES: I see what you are saying. Yeah, he  9 had 116,000 too many people is what he had in that  10 district.  11 SENATOR LATVALA: Right. So, there's some -- a  12 substantial part of that district that will be gone. And  13 then, of course, looks like, you know, a couple other  14 examples -- do you know how many people in Orange County  15 would be left in Congressional District 8? Right now, that  16 is an entirely Orange County seat with the exception of the  17 Buena Vista area.  18 SENATOR JONES: I brought that district up in my  19 discussion as one that the incumbent probably would have  20 some concerns about.  21 SENATOR LATVALA: And then the third one, Congressman  22 Putnam's district, his major county he lives in, Polk  23 County, his major county and the largest county in his  24 district is currently Polk County, and I notice you split  25 that four ways, so I would think probably he would have  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 63</p> <p>1 then I look at, for instance, Congressional District 6. Of  2 Congressional District 6, that district currently includes  3 Lake and Sumter and all of Martin and it doesn't currently  4 include Columbia and Suwannee -- and at least those two,  5 and Hamilton. What part of Congressional District 6 or  6 proportion of it that's currently in the district is  7 included in the new district?  8 SENATOR JONES: Well, you know, you can look at it --  9 you have a number of counties that intersect but,  10 obviously, the -- I was looking for my pluses and minuses.  11 What did Congressional 6 have to add to it?  12 SENATOR HOLZENDORF: Senator, can I answer that for  13 you?  14 SENATOR JONES: Hold on just a moment. I'll take some  15 assistance from Senator Holzendorf.  16 SENATOR HOLZENDORF: I can answer what part of  17 District 6 is in, in terms of incumbency, what's in there.  18 You have Duval in District 6, you have Baker, you have  19 Union, Bradford, Clay, Putnam and Marion currently in  20 District 6. That's Representative Cliff Stearns' district,  21 whom we are very pleased with.  22 SENATOR LATVALA: Well, Mr. Chairman, I think the  23 point I was making had more to do with people, and  24 currently there's around 200,000 people I believe is the  25 population in Lake County, about another 50,000 is the  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 65</p> <p>1 some concerns about that as well.  2 So, where I think the concern on the committee map was  3 one incumbent that had a problem, it looks to me like with  4 this map, you have potentially as many as three incumbents  5 with a problem; would you agree with that?  6 SENATOR JONES: I know I have at least two.  7 SENATOR LATVALA: At least two. So, that's one more  8 than the committee map.  9 SENATOR JONES: Which one do you think is yours?  10 SENATOR LATVALA: Thurman.  11 SENATOR JONES: I think -- well, I'm not sure how  12 Ileana Ros-Lehtinen is going to feel about that map either,  13 but I don't know.  14 SENATOR LATVALA: And the last question, Mr. Chairman,  15 deals with the minority access seats. And if I heard  16 correctly, the 24 districts -- well, maybe I should ask  17 you. Which -- did you try to achieve a Hispanic access  18 seat in either 24 or 25?  19 SENATOR JONES: Yes.  20 SENATOR LATVALA: Okay. Your totals in 24 was a  21 voting age population of Hispanic of 21.7 percent and in 25  22 was 15.4 percent. Our voting age population in the new  23 district that we created, District 24, was 38.5 percent.  24 So, would you say that you did as good a job coming up  25 with a minority access or keeping Hispanics together as the  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 66</p> <p>1 committee plan did?</p> <p>2 SENATOR JONES: Under that criteria, I think that that</p> <p>3 one is the better one for minority access; however --</p> <p>4 SENATOR LATVALA: Which one's the better one?</p> <p>5 SENATOR JONES: The one that you had.</p> <p>6 SENATOR LATVALA: The committee product?</p> <p>7 SENATOR JONES: Yes, the committee product is a better</p> <p>8 one for that, but I also think that that one is</p> <p>9 extraordinary in geographical size and contains multiple</p> <p>10 communities of interest in a way that would make it very,</p> <p>11 very difficult for the person to do a good job representing</p> <p>12 them, so I think we can both do a better job in making that</p> <p>13 district even a better Hispanic seat as well as a more</p> <p>14 compact seat.</p> <p>15 SENATOR LATVALA: Mr. Chairman, I just want to</p> <p>16 conclude my questions by saying I appreciate, Senator</p> <p>17 Jones, you doing this. You know, I had been critical last</p> <p>18 week because there hadn't been any alternative product and</p> <p>19 I can assure that there's a couple of them even if we don't</p> <p>20 do this amendment today or accept this amendment, I can</p> <p>21 assure you there's a couple of concepts in here that I like</p> <p>22 that you might see again.</p> <p>23 SENATOR JONES: Yeah, well, that's what I figured. I</p> <p>24 thought that there were some things that are problematic</p> <p>25 with my map, but there were some things that were good, and</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 68</p> <p>1 I'll pull out the exact numbers for you -- because you will</p> <p>2 find this pretty interesting too.</p> <p>3 Of the Hispanic voters, I don't know if we can really</p> <p>4 pull this out the way that I wanted to, I can tell you</p> <p>5 that -- well, yeah, maybe we can, you're right. Okay.</p> <p>6 There are 22,000 Hispanic Democrats in 24 and 10,000</p> <p>7 Hispanic Republicans, so, yeah.</p> <p>8 SENATOR DIAZ de la PORTILLA: Was that part of your</p> <p>9 reason, just to clarify the point, did that go into the,</p> <p>10 when you're creating a Hispanic minority seat, did you</p> <p>11 consider party affiliation when you drafted the map or did</p> <p>12 you just do it to really create a Hispanic access seat for</p> <p>13 the majority of Hispanics in Florida that are, in fact,</p> <p>14 Republicans?</p> <p>15 SENATOR JONES: Well, under law, you can't do it just</p> <p>16 purely on ethnicity or race.</p> <p>17 SENATOR DIAZ de la PORTILLA: I understand.</p> <p>18 SENATOR JONES: I had to take into account other --</p> <p>19 SENATOR DIAZ de la PORTILLA: Was that one of your</p> <p>20 considerations when you did it?</p> <p>21 SENATOR JONES: Sure.</p> <p>22 SENATOR DIAZ de la PORTILLA: Okay. Thank you.</p> <p>23 CHAIRMAN WEBSTER: Senator Campbell, you are</p> <p>24 recognized for a question.</p> <p>25 SENATOR CAMPBELL: Senator Jones, could you repeat</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 67</p> <p>1 vice versa, that we could both pull in there together and</p> <p>2 probably come out with a better product.</p> <p>3 CHAIRMAN WEBSTER: Senator Diaz de la Portilla,</p> <p>4 question.</p> <p>5 SENATOR DIAZ de la PORTILLA: Thank you, Mr. Chairman.</p> <p>6 And I know that some people, especially the broadcasters,</p> <p>7 think that all Hispanics look the same, but I assure you we</p> <p>8 don't and we also don't think the same way, we don't have</p> <p>9 the same party affiliation.</p> <p>10 We did attempt to create a Hispanic seat in either 24</p> <p>11 or 25, but those Hispanics are mostly Democrats; is that</p> <p>12 correct?</p> <p>13 SENATOR JONES: I think that's true, yes.</p> <p>14 SENATOR DIAZ de la PORTILLA: Did you -- and the one</p> <p>15 that Senator Latvala created, those are mostly Republicans</p> <p>16 in west Dade County, overwhelmingly number, overwhelmingly</p> <p>17 Republican.</p> <p>18 Did that go at all into your thinking when you were</p> <p>19 trying to create a Hispanic access seat, that you were</p> <p>20 perhaps creating one where perhaps, of a total Hispanic</p> <p>21 population that represent maybe 25 percent of them are</p> <p>22 Democrats, 75 percent are Republican; did that go into your</p> <p>23 thinking?</p> <p>24 SENATOR JONES: I'll tell you something, if you take a</p> <p>25 look at the one we did, what you'll find is that the -- and</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 69</p> <p>1 your explanation of your amendment?</p> <p>2 (Laughter.)</p> <p>3 SENATOR JONES: Sure, I will have a private meeting</p> <p>4 with you here in a few minutes and we'll take care of that.</p> <p>5 CHAIRMAN WEBSTER: Are there further questions on the</p> <p>6 amendment?</p> <p>7 SENATOR JONES: This is really so scintillating that I</p> <p>8 think we ought to have a repetition of it.</p> <p>9 CHAIRMAN WEBSTER: I don't think we can stand it. Are</p> <p>10 there further questions on the amendment? Is there debate</p> <p>11 on the amendment?</p> <p>12 SENATOR HOLZENDORF: Mr. Chairman?</p> <p>13 CHAIRMAN WEBSTER: You are recognized for debate.</p> <p>14 SENATOR HOLZENDORF: Thank you, Mr. Chairman. I just</p> <p>15 wanted to make a statement. I hear people saying in</p> <p>16 reference to the map that you're drawing Democratic seats,</p> <p>17 you're drawing Republican seats. Some of the members have</p> <p>18 been here and never served in a Democratic Senate, so I</p> <p>19 don't think that that's something that you shouldn't try to</p> <p>20 do, I mean, I think it's something that you ought to try to</p> <p>21 do, but at the same time, try to do it keeping all of the</p> <p>22 other parameters of the Voting Rights' Act in front of you</p> <p>23 as you attempt to draw these districts.</p> <p>24 Because we know from the 2000 election that we had</p> <p>25 50 percent Democrats and 50 percent Republicans in this</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 70</p> <p>1 state, so, I mean, I don't think there needs to be an 2 apology for attempting to do that.</p> <p>3 And as far as north Florida is concerned, we try to 4 have a district that gets representation of people who can 5 represent, regardless of party, all of the diverse factions 6 that's in north Florida. And when you start bringing 7 someone from Marion County to Nassau County, it tends to 8 make us start thinking about how do we access that 9 individual to get some of the concerns of north Florida 10 addressed.</p> <p>11 So, I think this is a good compromise map and I think 12 it's something that we need to have in front of us as we 13 proceed in this process.</p> <p>14 CHAIRMAN WEBSTER: Further debate? Senator 15 Wasserman-Schultz, you are recognized for debate.</p> <p>16 SENATOR WASSERMAN-SCHULTZ: Thank you, Mr. Chairman. 17 Just to speak in favor of the proposal by Senator Jones. 18 In working my way from north to south, if you listen to the 19 testimony of the people across the state of Florida, 20 particularly in the north central Florida area, a number of 21 Senators raised the issue in the District 5, in Senator 22 Jones' proposal, which is the district that Senator -- that 23 Congresswoman Thurman lives in, it makes a lot more sense 24 in this map to keep Congresswoman Thurman's base in her 25 district, keep it a north central Florida district, rather</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 72</p> <p>1 the same person makes more sense, and it seems that Senator 2 Jones has accomplished that to a greater extent than 3 Senator Latvala's proposal.</p> <p>4 Compactness is also an important point to raise here. 5 Our districts look prettier. Senator Jones' proposal makes 6 it, I think, easier for the members of Congress that 7 represented these areas to represent them. And quite 8 honestly, that is an important one. For those Senators who 9 have mentioned that representing a far-flung district is 10 difficult, compactness in Senator Jones' proposal bodes 11 well for the members to vote for it. I think that we 12 really need to make sure that we focus in on people who are 13 like each other.</p> <p>14 In a Hispanic access seat, you know, quite honestly, 15 you could probably draw it either way, you could draw a 16 Hispanic access seat with people who are more Democratic 17 and you could draw a Hispanic access seat with people who 18 are more Republican. But the point is, is to draw a 19 Hispanic access seat and there's more than one way to skin 20 that cat.</p> <p>21 Senator Jones has done that in a way that I think 22 makes sense because, again, it brings the district in a 23 little bit more compact. Quite honestly, I think that you 24 could make an argument that it was an easier district, that 25 the new Congressional District 25 would be far easier to</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 71</p> <p>1 than do what was more obviously done in the Latvala 2 proposal, in Senator Latvala's proposal, which was to 3 seemingly shift her out of her base and make it more of a 4 north Florida district moving from central all the way on 5 up to the Georgia/Florida border.</p> <p>6 That seems to be designed to take her out of her base, 7 and this is one that makes more sense and keeps her 8 constituency whole and her communities of interest whole.</p> <p>9 Moving down through the south down to my area in 10 Broward and Palm Beach and Dade Counties, the issues that I 11 raised in Senator Latvala's map are addressed, the concerns 12 are addressed in this map.</p> <p>13 Congressional District 20 remains a west Broward and 14 Dade Counties' Congressional seat. The communities of 15 interest that are there now remain together. Congressional 16 District 22, which I believe is still Congressman Shaw's 17 district in Senator Jones' map, remains a coastal district, 18 also gets to the goal of moving it closer in, which is 19 something that Senator Latvala felt was important, but it 20 keeps the beach communities together.</p> <p>21 You know, quite obviously, just because you have been 22 to the beach one or two times doesn't mean that if you 23 don't live on the beach that you are a community of 24 interest. So, keeping beach communities and western 25 communities together in the same district represented by</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 73</p> <p>1 represent than -- and the people would have far more in 2 common than in the Senator Latvala map where you have 3 people in Highlands County who, quite honestly, I'm sure, 4 could not ever be, by any stretch of the imagination, 5 assumed to be a community of interest with the people in 6 the Keys.</p> <p>7 So, I commend the map to the members of the committee 8 and I urge you to vote for it.</p> <p>9 CHAIRMAN WEBSTER: Senator Klein, you are recognized 10 in debate.</p> <p>11 SENATOR KLEIN: Thank you, Mr. Chairman. We have 12 three elements that we usually consider, the three Cs: 13 Compactness, contiguity and communities of interest. The 14 fourth one I think that this map probably does a better job 15 of than the Senator Latvala proposal is common sense, 16 that's the fourth C.</p> <p>17 And I'm just looking particularly in Palm Beach and 18 Broward Counties, because I was in the Congressional 19 subcommittee concerned about the Congressman 20 Shaw/Congressman Hastings' configuration, that it was 21 literally block in, block out. It really did break up the 22 communities.</p> <p>23 And I think that this is a much cleaner map. I think 24 it does get back to the fact that people will know who 25 represents them. Because the -- literally, blocks and</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 74</p> <p>1 communities are not broken up geographically. I think it  2 tries to follow some of the natural and roadway  3 configurations in the area and I think just, again, it  4 really meets the common sense test, which is probably the  5 one that our constituents would be more concerned about  6 than anything.  7 So, thank you for at least submitting this. I'm going  8 to vote for it and I think it really takes us in the right  9 direction.  10 CHAIRMAN WEBSTER: Senator Posey.  11 SENATOR POSEY: Thank you, Mr. Chairman. As I said  12 before, I think that the Senator's precepts and principles  13 upon which this is based are laudable and I commend Senator  14 Jones for doing it on the principles. But as in the title  15 of the book of same, All politics are local, you know, the  16 area that I represent is cut up so badly as to violate  17 every one of those principles and precepts, so for that  18 reason I would be compelled to vote against this amendment.  19 SENATOR LATVALA: Okay, thank you, Senator Posey. Is  20 there other debate on the amendment? Okay. So, even  21 though I'm presiding, since this would have the effect  22 of --  23 SENATOR JONES: Do you want me to close?  24 SENATOR LATVALA: Well, you -- no, I think I'll debate  25 on its affect on my amendment and then you can close, how  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 76</p> <p>1 So, you know, I know this was a good effort, but I'm  2 going to ask that the -- I'm going to ask for your help in  3 defeating this amendment.  4 Senator Jones, to close on your amendment.  5 SENATOR JONES: Okay. Thank you. This was an effort  6 to try to point out some of the things that were good and  7 bad about the Latvala amendment. I think that what we want  8 to do is provide another concept for the consideration of  9 the members. Senator Posey, we didn't want to insult  10 Indian River County.  11 Both Senator Latvala and I basically have it divided  12 into two different districts. The third district that we  13 have it in only has 2,000 people, so it's almost  14 negligible. And -- although 2,000 people are important  15 people, so we're not going to say that, but that is an easy  16 fix.  17 And I would say also that of the concepts that we have  18 here, what we would like to see is a further protection of  19 some of the incumbents, including Senator Thurman -- I'm  20 sorry, Congresswoman Thurman, who was a former Senator,  21 Congresswoman Ileana Ros-Lehtinen, and also I think there's  22 a great opportunity for an additional Hispanic access seat,  23 which Senator Diaz-Balart -- Senator Diaz de la Portilla  24 brought forward to us today.  25 So, with that, Mr. Chairman, I close, and hopefully,  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 75</p> <p>1 about that.  2 SENATOR JONES: That's good.  3 SENATOR LATVALA: As I said, I appreciate your help in  4 bringing this forward, there were ideas in here I think we  5 can utilize. I would try to keep my sense of humor with  6 respect to the Senator Wasserman-Schultz comments on  7 District 20.  8 You know, she was concerned that District 20 and the  9 subcommittee product went from west Broward down to Miami  10 Beach and I'm somewhat perplexed by the fact that she would  11 think that this District 20 would be better since it starts  12 basically in downtown Pompano Beach, comes through north  13 Lauderdale, Tamarac, Lauderhill, Sunrise, goes back into  14 downtown Fort Lauderdale, does down into Hollywood, doesn't  15 have most of west Broward in it and then comes down into  16 Dade and goes all the way around the bottom of the Dade  17 district, back up into Pinecrest along the coast.  18 And it's hard not to take that seriously with regard  19 to the concerns that were raised earlier about the other  20 option on District 20.  21 I think it's also hard to be too concerned about the  22 difference between Highlands and Miami-Dade when, in this  23 map, we are looking at the difference between Osceola and  24 Polk and Broward. It's very -- those are even farther  25 spread apart.  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 77</p> <p>1 we will find another map sometime in this process as we  2 move our way to the floor which combines many of the  3 concepts that are in both maps.  4 So, I would like for you to vote in support of the  5 amendment. Regardless of which one we take forward, we  6 know, surely, that there are going to be future changes.  7 CHAIRMAN WEBSTER: Senator Jones having closed, if you  8 favor the amendment, signify by saying, Yea.  9 (Affirmation votes.)  10 CHAIRMAN WEBSTER: Opposed, Nay.  11 (Negative votes.)  12 CHAIRMAN WEBSTER: It is defeated. Two people is what  13 is required that would like to have a roll call.  14 Secretary, call the roll on the amendment.  15 THE SECRETARY: Senator Brown-Waite.  16 SENATOR BROWN-WAITE: No.  17 THE SECRETARY: Senator Campbell.  18 SENATOR CAMPBELL: No.  19 THE SECRETARY: Senator Carlton. Senator Constantine.  20 SENATOR CONSTANTINE: No.  21 THE SECRETARY: Senator Cowin.  22 SENATOR COWIN: No.  23 THE SECRETARY: Senator Crist.  24 SENATOR CRIST: No.  25 THE SECRETARY: Senator Dawson.  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 78</p> <p>1 SENATOR DAWSON: Yes.</p> <p>2 THE SECRETARY: Senator Diaz de la Portilla.</p> <p>3 SENATOR DIAZ de la PORTILLA: No.</p> <p>4 THE SECRETARY: Senator Dyer. Senator Garcia.</p> <p>5 SENATOR GARCIA: No.</p> <p>6 THE SECRETARY: Senator Geller.</p> <p>7 SENATOR GELLER: Yes.</p> <p>8 THE SECRETARY: Senator Holzendorf.</p> <p>9 SENATOR HOLZENDORF: Yes.</p> <p>10 THE SECRETARY: Senator Jones.</p> <p>11 SENATOR JONES: Yes.</p> <p>12 THE SECRETARY: Senator King.</p> <p>13 SENATOR KING: No.</p> <p>14 THE SECRETARY: Senator Klein.</p> <p>15 SENATOR KLEIN: Yes.</p> <p>16 THE SECRETARY: Senator Latvala.</p> <p>17 SENATOR LATVALA: No.</p> <p>18 THE SECRETARY: Senator Laurent.</p> <p>19 SENATOR LAURENT: No.</p> <p>20 THE SECRETARY: Senator Lawson.</p> <p>21 SENATOR LAWSON: Yes.</p> <p>22 THE SECRETARY: Senator Lee.</p> <p>23 SENATOR LEE: No.</p> <p>24 THE SECRETARY: Senator Lee?</p> <p>25 SENATOR LEE: No.</p> <p>DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 80</p> <p>1 SENATOR WASSERMAN-SCHULTZ: Yes.</p> <p>2 THE SECRETARY: Senator Webster.</p> <p>3 CHAIRMAN WEBSTER: No.</p> <p>4 So, by your vote, the amendment is defeated. Now, we</p> <p>5 are on the -- another amendment, which is by Senator</p> <p>6 Latvala. Senator Latvala, you are recognized, which is</p> <p>7 under Tab 5 -- Tab 3.</p> <p>8 SENATOR LATVALA: Mr. Chairman, this is Plan S19C005.</p> <p>9 It has four or five, what I would call, relatively minor</p> <p>10 changes, all to accommodate either incumbent Congressmen</p> <p>11 or, you know, members here.</p> <p>12 The first one changes District 1 from a split --</p> <p>13 changes District 1 to not split Holmes County and instead</p> <p>14 split Walton County.</p> <p>15 The second change is at the request of Congressman</p> <p>16 Porter Goss, the Southwest Florida Regional Airport and the</p> <p>17 Florida Gulf Coast University located east of I-75 in Lee</p> <p>18 County were added to District 25.</p> <p>19 At the request of Congressman Adam Putnam, the Avon</p> <p>20 Park Bombing Range and the Avon Park Air Force Base were</p> <p>21 added to District 12. They were partly in 12 and partly in</p> <p>22 the other district below it, 16.</p> <p>23 And at the request and in the utmost intent to be</p> <p>24 cooperative with our Democratic incumbents, Representatives</p> <p>25 Deutsch and Wexler, we changed a number of blocks in</p> <p>DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 79</p> <p>1 THE SECRETARY: Senator Meek.</p> <p>2 SENATOR MEEK: Yes.</p> <p>3 THE SECRETARY: Senator Meek?</p> <p>4 SENATOR MEEK: I said yes.</p> <p>5 THE SECRETARY: Senator Miller.</p> <p>6 SENATOR MILLER: Yes.</p> <p>7 THE SECRETARY: Senator Peaden.</p> <p>8 SENATOR PEADEN: No.</p> <p>9 THE SECRETARY: Senator Posey.</p> <p>10 SENATOR POSEY: No.</p> <p>11 THE SECRETARY: Senator Pruitt.</p> <p>12 SENATOR PRUITT: No.</p> <p>13 THE SECRETARY: Senator Sanderson.</p> <p>14 SENATOR SANDERSON: No.</p> <p>15 THE SECRETARY: Senator Saunders.</p> <p>16 SENATOR SAUNDERS: No.</p> <p>17 THE SECRETARY: Senator Sebesta.</p> <p>18 SENATOR SEBESTA: No.</p> <p>19 THE SECRETARY: Senator Silver.</p> <p>20 SENATOR SILVER: No.</p> <p>21 THE SECRETARY: Senator Smith.</p> <p>22 SENATOR SMITH: Yes.</p> <p>23 THE SECRETARY: Senator Sullivan. Senator Villalobos.</p> <p>24 SENATOR VILLALOBOS: No.</p> <p>25 THE SECRETARY: Senator Wasserman-Schultz.</p> <p>DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 81</p> <p>1 Broward County between Sunrise Lakes and Inverrary based on</p> <p>2 the district that they had previously been represented in</p> <p>3 to accommodate keeping the incumbents' districts together.</p> <p>4 So, actually, fairly minor changes.</p> <p>5 CHAIRMAN WEBSTER: Are there questions on the</p> <p>6 amendment? Senator Meek, you are recognized for a</p> <p>7 question.</p> <p>8 SENATOR MEEK: My first question is a procedural one,</p> <p>9 Mr. Chairman. Are we taking, while the full committee is</p> <p>10 taking its vote, are we taking any public testimony?</p> <p>11 Because I know last bill we didn't.</p> <p>12 CHAIRMAN WEBSTER: I'm sorry, we've got two questions</p> <p>13 at the same time.</p> <p>14 SENATOR MEEK: Oh, okay. On the last bill, we didn't</p> <p>15 take any public testimony on the amendment, are we taking</p> <p>16 any public testimony? I understand there's folks here that</p> <p>17 want to share things with the full committee on these</p> <p>18 things that we are passing or adopting.</p> <p>19 CHAIRMAN WEBSTER: Well, we'll vote on that. There's</p> <p>20 a rule in the Senate that it takes two-thirds' vote of the</p> <p>21 committee in order to take public testimony. I assume</p> <p>22 people would want to do that. And we'll do that as soon as</p> <p>23 we're ready on the final product, we will take testimony.</p> <p>24 There's one -- I have one card. If you would like to</p> <p>25 testify, you have to fill out a Senate committee</p> <p>DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 82</p> <p>1 appearance.</p> <p>2 SENATOR MILLER: Excuse me, Mr. Chairman.</p> <p>3 CHAIRMAN WEBSTER: Yes, Senator Meek.</p> <p>4 SENATOR MEEK: So, basically, Mr. Chairman, I guess it</p> <p>5 is going to take a two-thirds' vote, because some of the</p> <p>6 public testimony that took place on the subcommittee level,</p> <p>7 if some took place on the subcommittee level, adopting</p> <p>8 that, they didn't.</p> <p>9 So, I mean, I want to hear from some of these folks.</p> <p>10 And I don't know, maybe, Mr. Chairman, if that is the rule</p> <p>11 of this process on this bill, maybe we want to see if we</p> <p>12 could waive that, Mr. Chairman, with your -- it seems like</p> <p>13 there's a line of people, but if there are some.</p> <p>14 CHAIRMAN WEBSTER: All we have to do, it takes a</p> <p>15 two-thirds' vote of the committee, we can't waive the</p> <p>16 Senate rules. It is a Senate rule, not a committee rule,</p> <p>17 not a reapportionment rule, it is a Senate rule. But we</p> <p>18 can take public testimony as long as two-thirds of the</p> <p>19 members agree.</p> <p>20 SENATOR LATVALA: Would you take a motion from me to</p> <p>21 allow public testimony?</p> <p>22 CHAIRMAN WEBSTER: Yes, I would. Any objection to the</p> <p>23 motion by Senator Latvala to allow public testimony on the</p> <p>24 bill as amended?</p> <p>25 (No audible response.)</p> <p>DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 84</p> <p>1 this committee with SFREP's statement concerning the</p> <p>2 proposed planning; however, before I begin, I am compelled</p> <p>3 to tell you that I believe that minorities and language</p> <p>4 minorities have been effectively shut out of this process.</p> <p>5 The majority of the public hearings were held at times</p> <p>6 and in locations that prevented Florida working people from</p> <p>7 participating. The access to information concerning the</p> <p>8 redistricting process is the most compelling example of</p> <p>9 Florida's and this country's digital divide.</p> <p>10 Our people do not have and cannot afford the</p> <p>11 sophisticated home computers to run the FREDS program nor</p> <p>12 the additional software necessary to participate in this</p> <p>13 process. While the Legislature has provided copies of the</p> <p>14 FREDS software to various libraries, most of the libraries</p> <p>15 in our communities suffer from the same divide and lack of</p> <p>16 resources and funding.</p> <p>17 Further, no additional necessary hardware or software</p> <p>18 training or translation accompanied the software. The</p> <p>19 process has been described as the most open; however, we</p> <p>20 ask, For whom? Florida Hispanic population has and</p> <p>21 continues to grow at an astonishing pace. According to the</p> <p>22 U.S. Census, Latinos are now nearly 17 percent of Florida's</p> <p>23 total population; we are the largest minority in this</p> <p>24 state.</p> <p>25 Hispanics share a language and many cultural and</p> <p>DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 83</p> <p>1 CHAIRMAN WEBSTER: It's adopted. As soon as we get</p> <p>2 this amendment passed, or if it doesn't, we'll be on the</p> <p>3 final passage of the bill and we will take public</p> <p>4 testimony.</p> <p>5 SENATOR LATVALA: Oh, is anybody waiting on me? I've</p> <p>6 explained the amendment.</p> <p>7 CHAIRMAN WEBSTER: Are there questions on the</p> <p>8 amendment, which looks like a fairly technical amendment?</p> <p>9 Are there questions on it? Are there objections to the</p> <p>10 amendment offered?</p> <p>11 (No audible response.)</p> <p>12 CHAIRMAN WEBSTER: Show it adopted without objection.</p> <p>13 Now, we are on the bill as an amendment. We would</p> <p>14 like to -- we have voted to take public testimony. And the</p> <p>15 first card I have is Alvero Fernandez. You are recognized.</p> <p>16 MR. FERNANDEZ: Mr. Chair, member of the committee,</p> <p>17 good afternoon. My name is Alvero Fernandez, I am the</p> <p>18 Florida director of the Southwest Florida Registration</p> <p>19 Education Project. We are a national, nonprofit,</p> <p>20 nonpartisan organization committed to increasing the</p> <p>21 participation, Hispanic, and other ethnic communities in</p> <p>22 the democratic process.</p> <p>23 I have testified at the redistricting public hearings</p> <p>24 here in Tallahassee, Orlando, Tampa and Miami and have been</p> <p>25 present at others. Today, I have traveled here to provide</p> <p>DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 85</p> <p>1 economic communities of interest, regardless of whether we</p> <p>2 are discussing south, central or north Florida. Our</p> <p>3 interest and access to education, jobs, health care, and</p> <p>4 social programs are shared.</p> <p>5 It is with these concerns that we will review and</p> <p>6 comment on any proposed plan. The committee proposed plan,</p> <p>7 the one I have seen today, fails to take into account the</p> <p>8 Hispanic community's interest and essentially dilutes our</p> <p>9 voting strength.</p> <p>10 While our incumbent Congressmen in south Florida are</p> <p>11 protected under the proposed plan, the plan keeps the</p> <p>12 status quo and fails to take into account the Hispanic</p> <p>13 community's growth and community of interest. Neither of</p> <p>14 the two proposed new Congressional districts takes into</p> <p>15 account the Hispanic population in parts of central</p> <p>16 Florida.</p> <p>17 Certain areas in Seminole, Osceola and Orange Counties</p> <p>18 have experienced more than 100 percent Hispanic growth. We</p> <p>19 implore you to revise the proposed plan and take into</p> <p>20 account the Hispanic communities in the central area of our</p> <p>21 state.</p> <p>22 I commend Senator Jones, in fact, for the plan</p> <p>23 presented, because at least he addresses the Hispanic</p> <p>24 communities in these areas of the state and provides our</p> <p>25 communities with an opportunity to elect a candidate of our</p> <p>DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 86</p> <p>1 choice. I ask that you do not rush through this process  2 and return to the communities with the proposed plans, not  3 by way of the Internet, but face to face in our communities  4 and in the evening when many of our hardworking people can  5 participate. Thank you very much.</p> <p>6 CHAIRMAN WEBSTER: Thank you. Now, we have Jenell  7 Bowden. Bowden, that's what I said, Bowden. Ganell, is it  8 Ganell? Glenell. You are recognized.</p> <p>9 MR. BOWDEN: Thank you, Mr. Chairman. I had intended  10 to speak in favor of Senator Jones' amendment, and since  11 it's been defeated, I would only offer that, as you go  12 forward through this process, that you consider some of the  13 things that were included in Senator Jones' resolution.</p> <p>14 However, I spoke at the subcommittee, Mr. Chairman, at  15 the last meeting, and raised concerns and didn't get an  16 answer to my satisfaction and I may not get one here today.  17 It has to do with the statistical information that's used  18 to determine a minority access district. Particularly,  19 when you talk about multiracial, that is a census term and  20 that's a classification.</p> <p>21 As an African-American man who has a single-race  22 mother and a single-race father, I guess my concern is why  23 would multiracial be included as a non-Hispanic black and  24 not be a category that stands alone by itself. When one  25 argues that a minority access district is blacker because</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 88</p> <p>1 have a potential, just within the two districts which  2 aren't up on the board right now, 24 and 25, that we drew  3 in my amendment, and which go from Orange County down to  4 Broward County as the southernmost point, we have a real  5 opportunity to actually create a Hispanic seat that would  6 have a fairly strong Hispanic population of somewhere  7 around 35 to 40 percent.</p> <p>8 And so, I just wanted to make sure that the members  9 were aware of it. And I'm not sure if those communities  10 are geographically situated where that would make sense,  11 but I'm certainly willing to work with Senator Latvala and  12 Senator Diaz de la Portilla and anybody else who is  13 interested in doing that to take a closer look at what the  14 opportunities are in that particular area.</p> <p>15 And so, also, I appreciate Senator Latvala saying that  16 he appreciates some of the concepts that were in the plan  17 that we presented and would expect to see some of those  18 concepts incorporated into his final product.</p> <p>19 At this point, you know, I applaud what he's done so  20 far. I think that we still have a ways to go, I'm not  21 going to support it at this time, but I do look forward to  22 seeing a better plan as time goes on. Thank you very much.</p> <p>23 CHAIRMAN WEBSTER: Senator Diaz de la Portilla, you're  24 recognized.</p> <p>25 SENATOR DIAZ de la PORTILLA: Thank you, Mr. Chairman.</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 87</p> <p>1 they are multiracial seems to be somewhat unfair when you  2 have single-race whites in a category by themselves.</p> <p>3 It would make sense to me that you have single-race  4 blacks in a category by themselves, multiracial in a  5 category by themselves and then determine later whether you  6 want to add them to the black, non-Hispanic population or  7 to the white, non-Hispanic population. But to add them to  8 the black population, I think is screwing with numbers and  9 giving them a false impression that the district is blacker  10 than what it really is. And that's my comment.</p> <p>11 CHAIRMAN WEBSTER: Thank you for appearing. Okay.  12 That's all the public testimony cards that I have. Did you  13 have a question?</p> <p>14 SENATOR DIAZ de la PORTILLA: I just have a question  15 very, very brief comment on one of the speakers. It's for  16 the record. Very brief.</p> <p>17 CHAIRMAN WEBSTER: Well, why don't you make it? We  18 are going to have debate on the bill. So, if you want to  19 make it during that time, that would be appropriate. Now,  20 we are on the bill as amended. There were no questions.  21 Does anyone want to debate the bill as amended? Senator  22 Jones, you are recognized.</p> <p>23 SENATOR JONES: Mr. Chairman, I would just bring up  24 Senator Latvala and Senator Diaz de la Portilla, that, you  25 know, one of the things that I didn't realize is that we do</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 89</p> <p>1 Just for some brief comments, responding to something Mr.  2 Alvaro Fernandez, I believe his last name, said earlier.</p> <p>3 Three of the members of the committee are  4 Hispanic-Americans, and six are African-Americans, so  5 there's nine minority members of this committee. I have  6 never received any correspondence or any phone calls from  7 Mr. Fernandez regarding his concerns about Hispanics not  8 being properly represented and a voice in decisions that  9 are being made by this committee.</p> <p>10 And I obviously welcome them and my doors, as I'm sure  11 Senator Villalobos' doors and Senator Garcia's doors will  12 always be open to him for any kind of input, but to say  13 that this committee does not have participation or input  14 from Hispanic-Americans, I can tell you that's definitely  15 not the case. All three of us have fought to make sure  16 that our communities are represented and that our people  17 are not disenfranchised.</p> <p>18 And we will continue to do so. I think Senator  19 Latvala has gone out of his way to be fair to all the  20 parties involved and is very, very concerned and cognizant  21 of the fact that the minorities need to be represented in  22 Congress and you have to have seats that provide minorities  23 an opportunity to get elected. So, I just wanted for the  24 record to reflect that. Thank you.</p> <p>25 SENATOR GARCIA: Mr. Chairman?</p> <p style="text-align: right;">DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 90</p> <p>1 CHAIRMAN WEBSTER: Senator Garcia, you are recognized 2 for debate.</p> <p>3 SENATOR GARCIA: Mr. Chairman, thank you. And just to 4 follow up on Senator Diaz de la Portilla's statement, I 5 have known Mr. Fernandez for quite some time. As a matter 6 of fact, in 1986, he was one of my opponents, if I recall 7 correctly.</p> <p>8 To make a long story short, I think it's important to 9 let the record reflect that this committee has been well 10 represented by all minorities, African-American as well as 11 women, as well as Hispanics. And mostly those of us that 12 have come from one county that are Cuban-Americans that 13 have been very vocal throughout this entire process and I 14 would like to remind the members of the audience and those 15 that are here that really want to try to make an impact, 16 that they should communicate with us as Senator Diaz de la 17 Portilla said.</p> <p>18 It is important that we hear other philosophies that 19 we perhaps have not heard. And my offices are always open. 20 I take phone calls seven days a week, sometimes 24 hours a 21 day in meetings throughout the community. It's important 22 to let the community know, once again, and in particular 23 Mr. Fernandez, that I've never heard a phone call or any 24 statements that he has made in adverse to this, at least 25 through our offices, and we would like to work with him and DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 92</p> <p>1 areas of Broward County that are currently in Congressional 2 District 20. That's me. Continues the community of 3 interest that are there now and makes it a lot easier for 4 those people to understand who represents them.</p> <p>5 In the Latvala proposal, because Congressional 6 District 22 swings off the beach and runs through central 7 and west Broward to pick up people who really have little 8 to nothing in common with the people up and down the east 9 coast makes less sense and Senator Latvala has done an 10 excellent job and really has expressed a willingness to sit 11 down with me and I know the other members of the committee 12 and work through those issues. I look forward to 13 continuing to do that with him.</p> <p>14 But to match the people in west Broward with the 15 people on the beach, in either District 22 or District 20, 16 does not make sense, would make it difficult for the member 17 of Congress representing both of those communities to 18 fairly represent them in Washington, D.C., our nation's 19 capitol, because quite honestly, west Broward constituents 20 in the western communities have quite a bit of difference 21 and a different agenda and a different set of priorities 22 than people do on the beach, and I think that we should be 23 a little more consistent.</p> <p>24 So, today, I'm not able to support the proposal in 25 front of us. DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 91</p> <p>1 anyone else that believes that this bill and project 2 throughout the reapportionment process is not correct.</p> <p>3 And I also remind you that this is a working, living 4 product that is opted to change as we continue throughout 5 the process as it goes to the floor of the Senate and, in 6 particular, when we go into conference, there's going to be 7 many opportunities to address certain issues that Senator 8 Jones has brought up as well.</p> <p>9 So, with that, Mr. Chairman, thank you for the 10 opportunity to rectify the record.</p> <p>11 CHAIRMAN WEBSTER: Senator Wasserman-Schultz, you are 12 recognized in debate.</p> <p>13 SENATOR WASSERMAN-SCHULTZ: Thank you, Mr. Chairman. 14 At this time, I would be speaking in opposition to Senator 15 Latvala's proposal. And just to point out, I know that he 16 mentioned perhaps what he could describe -- he described it 17 as a discrepancy in my logic between describing a community 18 of interest in the Jones' map versus a community of 19 interest in his map.</p> <p>20 If you look back in the back of our packet, Senators, 21 to Congressional District 20, Congressional District 20 in 22 Dade County currently swings around exactly except for the 23 Florida Keys in the areas that the Jones' proposal does. 24 So, actually, what Senator Jones' proposal does is it 25 includes the areas of Miami-Dade County and much of the DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 93</p> <p>1 CHAIRMAN WEBSTER: Further debate? Senator Latvala, 2 you are recognized to close on your committee substitute.</p> <p>3 SENATOR LATVALA: Thank you, Mr. Chairman. I think we 4 have covered this ground pretty good. It's still, to some 5 degree, a work in process. We are going to try to take the 6 constructive suggestions that we are now starting to get a 7 little more of and continue moving this on down the path.</p> <p>8 I think on balance, it is a good plan that meets 9 basically the same criteria -- the same objectives that 10 Senator Jones outlined in his amendment. And I think it is 11 a good product and I urge a positive vote and I move it as 12 a committee substitute.</p> <p>13 CHAIRMAN WEBSTER: Senator Campbell. He has already 14 closed. You are recognized.</p> <p>15 SENATOR CAMPBELL: I move that we reopen so I can just 16 say something.</p> <p>17 CHAIRMAN WEBSTER: It's reopened so you can say 18 something.</p> <p>19 SENATOR CAMPBELL: Well, in the subcommittee, I voted 20 for this plan, I intend to vote for it again today. I do 21 believe it is a work in progress, which is why I voted for 22 it before. I think there are some questions on 23 Congresswoman Thurman's seat, I have some problems as I've 24 already expressed, on the two new seats that are being 25 drafted because, again, I have got a concern on both plans, DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

<p style="text-align: right;">Page 94</p> <p>1 Senator Jones' and yours, Senator Latvala, and I would hope  2 that there would be, and I know from your assurances, that  3 this is again a work in progress, and hopefully we can get  4 this so that everybody in the state of Florida is  5 protected.  6 We again have to consider the fact that the Democrats  7 are 50 percent, the Republicans are 50 percent. I don't  8 see this as 50 percent, but I think it is a work that's  9 going in the right direction, so I just want to put that on  10 the record.  11 CHAIRMAN WEBSTER: Senator Latvala, having closed, the  12 Secretary will call the roll on the -- he moves it as a  13 committee substitute. And call the roll.  14 THE SECRETARY: Senator Brown-Waite.  15 SENATOR BROWN-WAITE: Yes.  16 THE SECRETARY: Senator Campbell.  17 SENATOR CAMPBELL: Yes.  18 THE SECRETARY: Senator Carlton. Senator Constantine.  19 SENATOR CONSTANTINE: Yes.  20 THE SECRETARY: Senator Cowin.  21 SENATOR COWIN: Yes.  22 THE SECRETARY: Senator Crist.  23 SENATOR CRIST: Yes.  24 THE SECRETARY: Senator Dawson.  25 SENATOR DAWSON: (No audible response.)  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 96</p> <p>1 SENATOR MILLER: No.  2 THE SECRETARY: Senator Peaden.  3 SENATOR PEADEN: Yes.  4 THE SECRETARY: Senator Posey.  5 SENATOR POSEY: Yes.  6 THE SECRETARY: Senator Pruitt.  7 SENATOR PRUITT: Yes.  8 THE SECRETARY: Senator Sanderson.  9 SENATOR SANDERSON: Yes.  10 THE SECRETARY: Senator Saunders.  11 SENATOR SAUNDERS: Yes.  12 THE SECRETARY: Senator Sebesta.  13 SENATOR SEBESTA: Yes.  14 THE SECRETARY: Senator Silver.  15 SENATOR SILVER: Yes.  16 THE SECRETARY: Senator Smith.  17 SENATOR SMITH: No.  18 THE SECRETARY: Senator Sullivan. Senator Villalobos.  19 SENATOR VILLALOBOS: Yes.  20 THE SECRETARY: Senator Wasserman-Schultz.  21 SENATOR WASSERMAN-SCHULTZ: No.  22 THE SECRETARY: Senator Webster.  23 CHAIRMAN WEBSTER: Yes.  24 So, by your vote, a substitute will be reported  25 favorably. I will remind everyone that we do have a fair,  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>
<p style="text-align: right;">Page 95</p> <p>1 THE SECRETARY: Senator Diaz de la Portilla.  2 SENATOR DIAZ de la PORTILLA: Yes.  3 THE SECRETARY: Senator Dyer. Senator Garcia.  4 SENATOR GARCIA: Yes.  5 THE SECRETARY: Senator Geller.  6 SENATOR GELLER: No.  7 THE SECRETARY: Senator Holzendorf.  8 SENATOR HOLZENDORF: No.  9 THE SECRETARY: Senator Jones.  10 SENATOR JONES: No.  11 THE SECRETARY: Senator King.  12 SENATOR KING: Yes.  13 THE SECRETARY: Senator Klein.  14 SENATOR KLEIN: No.  15 THE SECRETARY: Senator Latvala.  16 SENATOR LATVALA: Yes.  17 THE SECRETARY: Senator Laurent.  18 SENATOR LAURENT: Yes.  19 THE SECRETARY: Senator Lawson.  20 SENATOR LAWSON: No.  21 THE SECRETARY: Senator Lee.  22 SENATOR LEE: Yes.  23 THE SECRETARY: Senator Meek.  24 SENATOR MEEK: No.  25 THE SECRETARY: Senator Miller.  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>	<p style="text-align: right;">Page 97</p> <p>1 open, and conclusive process. We had 24 public hearings,  2 we listened to over 1,200 people, 3,500 came and listened  3 to us, 1,200 of those spoke.  4 We established on the Internet where members of the  5 public can access plans, analysis of plans, letters,  6 transcripts, census data, legal considerations, FREDs  7 software was developed, distributed in public libraries,  8 universities, and is available to the public for \$20.  9 Every member has access to that same software. We  10 feel like it's very open and very inclusive and it doesn't  11 end there. Here is a plan, everyone has said it is a work  12 in process, and we still through letters, phone calls,  13 E-mails and even a submission of an alternative plan are  14 inviting the public to participate in this process, and the  15 members too.  16 And with that, thank you-all for coming. Thank you,  17 Senator Latvala, for a very good product and a lot of hard  18 work and he moves we rise.  19 (Meeting concluded.)  20  21  22  23  24  25  DIVISION OF ADMINISTRATIVE HEARINGS (850) 488-9675</p>

CERTIFICATE

STATE OF FLORIDA:

COUNTY OF LEON:

I, MONA L. WHIDDON, Court Reporter, certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true and complete record of my stenographic notes.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
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